

ORDINANCE NO. XXXX-XXXX

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 17.55 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF MONTE VISTA ROAD AND PEBBLECREEK PARKWAY FROM THE PALM VALLEY PHASE VIII PLANNED AREA DEVELOPMENT (PAD) TO THE PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT WITH AN UNDERLYING ZONING DISTRICT OF MULTI-FAMILY (MF-24) WITH A PAD OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, on May 9, 2005, the City Council adopted Ordinance No. 2005-940 rezoning approximately 562 acres from the Preliminary Planned Area Development Mixed Uses District to the Final Planned Area Development District for the Palm Valley Phase VIII PAD, which designated the Subject Property (or the "Property") as High Density Residential MF 1-18 (UR/H) as amended by the PAD; and

WHEREAS, the Property consists of 17.55 acres on the northwest corner of Monte Vista Road and PebbleCreek Parkway as shown on Supplementary Zoning Map No. 22-06, attached hereto as Exhibit A and legally described in Exhibit B, attached hereto; and

WHEREAS, the land use designation in the Goodyear 2035 General Plan for the Property is Designated as Neighborhoods; and,

WHEREAS, this request is to rezone the 17.55-acre Property to PAD with an underlying zoning of MF-24 with PAD Overlay to allow for the entire Property to develop as Multi-Family with a density no greater than 24 units per acre, subject to the development standards described in the document titled "The Picerne at Palm Valley Development Regulations, MF-24 with PAD Overlay, dated March 2025", attached hereto as Exhibit C; and,

WHEREAS, PAD is a listed zoning district within the Neighborhoods land use category for the Goodyear 2035 General Plan; however, a density of up to 24 units per acre, as typically seen in MF-24, is not a listed zoning district for the Neighborhoods land use category; and

WHEREAS, the area to be zoned PAD with an underlying zoning of MF-24 with a PAD Overlay is less than 19.9 acres and does not require a General Plan Amendment for the increased density; and,

WHEREAS, stipulations of approval and a PAD Overlay have been created to address General Plan conformity within the Neighborhoods land use designation; 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 a multi-family development; and

WHEREAS, a public notice of a Neighborhood Meeting was provided to property owners within 500 feet of the property on February 2, 2024, and a sign advertising the meeting was posted to the site on February 12, 2024; and

WHEREAS, the Neighborhood Meeting took place in person on February 28, 2024, and was attended by 29 people, where discussion occurred regarding project density and building height, ingress and egress, parking, landscaping, amenities, traffic impacts, construction timing, and similar topics; and

WHEREAS, a public notice that this rezoning was to be considered and reviewed at a public hearing before the Planning and Zoning Commission on August 13, 2025, appeared in the Arizona Republic Southwest Valley edition on July 25, 2025; postcards were mailed to adjoining owners on July 18, 2025; and the sign on the site was updated on July 28, 2025; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on August 13, 2025; and

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

WHEREAS, a public notice that this rezoning was to be considered and reviewed at a public hearing before the City Council on August 25, 2025 appeared in the Arizona Republic Southwest Valley edition on July 25, 2025; postcards were mailed to adjoining owners on July 18, 2025; and the sign on the site was updated on July 28, 2025; 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. DECLARATION OF PUBLIC RECORDS

That certain document titled “Official Supplementary Zoning Map No. 22-06”, a copy of which is attached hereto as Exhibit A, is hereby declared a public record and incorporated herein by this reference.

That certain document titled “Picerne at Palm Valley Legal Description”, a copy of which is attached hereto as Exhibit B, is hereby declared a public record and incorporated herein by this reference.

That certain document titled “The Picerne at Palm Valley Development Regulations, MF-24 with PAD Overlay, dated March 2025”, a copy of which is attached hereto as Exhibit C, is hereby declared a public record and incorporated herein by this reference.

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S. 44-7401 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

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. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2025-xxxx applies to that parcel of land in Goodyear, Maricopa County, Arizona, that is approximately 17.55 acres generally located at the northwest corner of Monte Vista Road and PebbleCreek Parkway as legally described in that certain document titled "Picerne at Palm Valley Legal Description", attached hereto as Exhibit B and which is declared a public record and incorporated herein by reference in Section 1 of this Ordinance (the "Property").

SECTION 4. REZONING

The Property is conditionally rezoned from Planned Area Development (PAD) to Planned Area Development (PAD) with an underlying zoning district of Multi-Family (MF-24) with a PAD Overlay.

SECTION 5. CONDITIONS OF REZONING

The rezoning of this Property is subject to the following stipulations and conditions of approval:

1. Approval of the rezoning does not constitute approval of any site plan for 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 site development will be reviewed, including (but not limited to) architecture, landscaping, grading and drainage, lighting, infrastructure, parking, and access and circulation; and
2. Except as modified by the "Picerne at Palm Valley Development Regulations MF-24 PAD Overlay" dated March 2025 or the conditions of approval/stipulations, the development of the Property shall comply with the City of Goodyear Zoning Ordinance applicable to the MF-24 Multi-Family Residential Zoning District; the City of Goodyear Design Guidelines; the City of Goodyear subdivision regulations; the City of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer; the Maricopa County Association of Governments standards for public works construction; all Building Codes and Regulations adopted by the City of Goodyear; and all other federal, state, and local laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property; and
3. Ingress at the proposed gated entrance on PebbleCreek Parkway is assumed to be for residents and emergency services only. Should the applicant, developer, or owner of the Property (the "Owner") wish to make ingress available to delivery services and/or guests (with the installation of a keypad or similar device), the site plan will need to demonstrate that adequate queuing capacity exists within the Property to accommodate vehicles waiting at the gate without impeding traffic accessing the multi-

family development to the north; and

4. In addition to constructing the infrastructure improvements specifically identified herein, Owner shall construct, at no cost to the City, all infrastructure improvements required by the City of Goodyear subdivision regulations, all Building Codes and Regulations adopted by city, and Engineering Design Standards and Policy Manual in effect at the time of construction; and
5. Owner shall dedicate, at no cost to City, all rights-of-way and/or easements within the boundaries of the Property that are: (i) needed for construction of infrastructure improvements required for City to provide water and wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to City subdivision regulations, building codes and regulations, and City EDS&PM; (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 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, or guidelines governing the development of the Property including, but not limited to City's subdivision regulations, building codes and regulations, and City's EDS&PM. The rights-of-way to be dedicated shall be dedicated in fee and lien-free and, unless otherwise agreed to by City, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by any stipulation in this ordinance, the terms of a written development agreement approved by City Council or a written phasing plan approved by City Engineer or their designee, all dedications shall be made prior to or concurrent with recordation of a final plat or approval of a site plan that includes the area in which the dedicated property is located or when requested by City Engineer or his/her designee, whichever is earlier; and
6. No final plat shall be recorded, and/or no construction permits issued until Owner has provided the City with all approvals and/or easements from jurisdictions or parties whose property interests will be impacted by the development contemplated by such final plat and/or construction permit. All required approvals and easements shall be in a form acceptable to the City Engineer or his/her designee; and
7. Right-of-way required to accommodate the proposed deceleration lane on Monte Vista Road shall be conveyed to the City prior to acceptance of infrastructure. Any deviations to the public utility easement stemming from this conveyance shall be reviewed, approved, and recorded prior to acceptance.

SECTION 6. AMENDMENT OF ZONING MAP

The Zoning Map of the city of Goodyear is hereby amended to reflect the rezoning of the Property with the adoption of the document titled "Picerne at Palm Valley Development Regulations MF-24 with PAD Overlay", dated March 2025, referred to herein by the adoption of Supplementary Zoning Map No. 22-06, a copy of which is attached hereto as Exhibit A, and such amendment shall be filed with the City Clerk in the same manner as the Zoning Map of the city of Goodyear.

SECTION 7. RECORDATION

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

SECTION 8. 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 9. 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 10. 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 11. EFFECTIVE DATE

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

SECTION 12. PENALTIES

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

Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary

to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.

- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.
- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

- 1. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or

Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

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

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Jasmine Pernicano, 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. 22-06

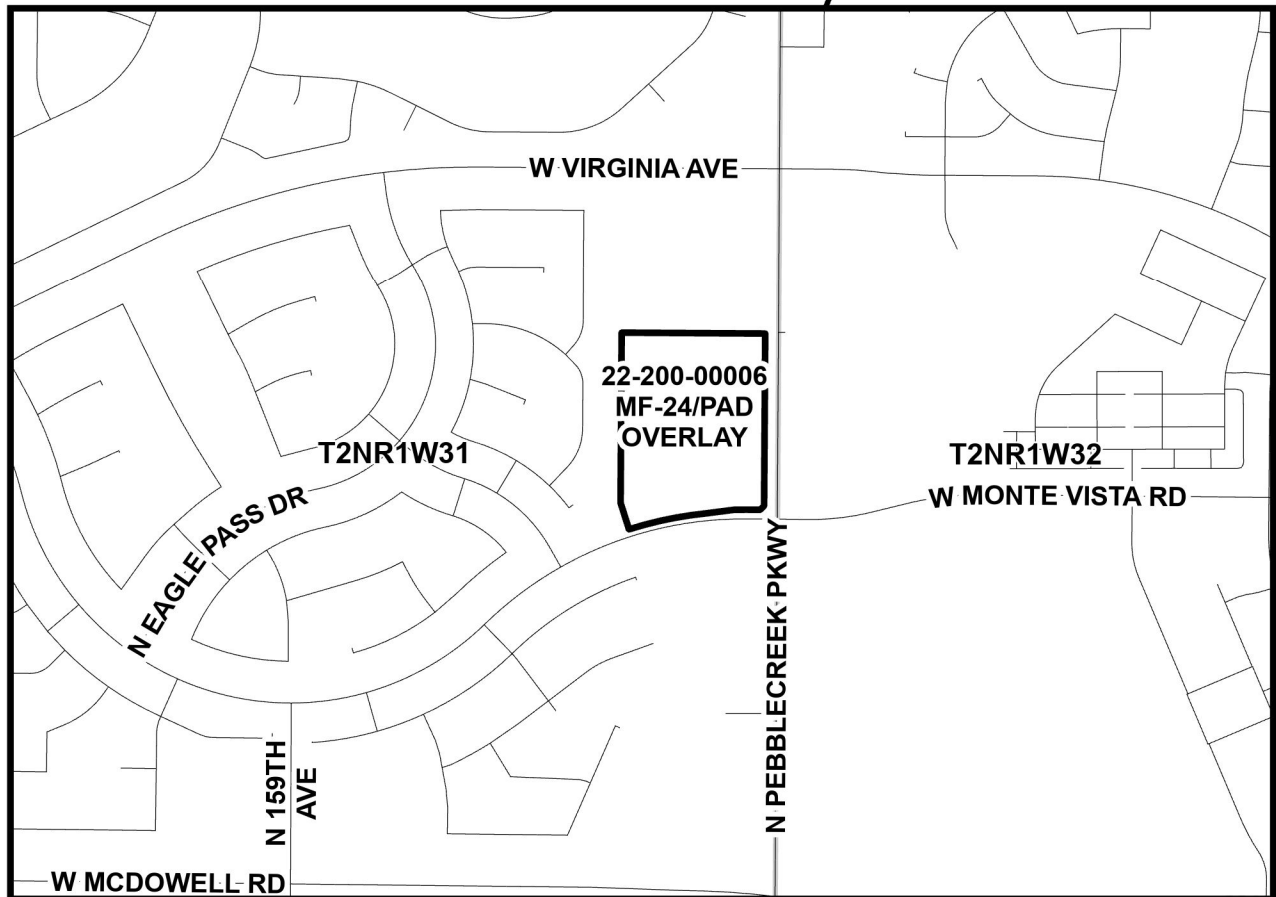
AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO. _____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2025.

MAYOR

CITY CLERK

SUBJECT PROPERTY:

Tract B of 'Palm Valley Phase VIII South Parcel' plat per book 839, page 49 of Maricopa County Records



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT
A

REZONE FROM PAD TO MF-24 WITH PAD OVERLAY 22-200-00006

DATE:
July 2025

Picerne at Palm Valley

Legal Description

Tract B of 'Palm Valley Phase VIII South Parcel' plat per book 839, page 49 of Maricopa County Records



The Picerne at Palm Valley
Development Regulations
MF-24 with PAD Overlay
March 2025

PERMITTED USES

All uses in the MF-24 Multi-Family Residential Zoning District in accordance with Article 3-2-2 of the City of Goodyear Zoning Ordinance.

DEVELOPMENT STANDARDS

The Development Standards for MF-24 Multi-Family Residential Zoning District shall apply to this Property, except as modified below:

Development Standard	The Picerne at Palm Valley PAD Overlay
Maximum Density in Du/Ac	24
Minimum Lot Width (ft.)	100
Minimum Lot Depth (ft.)	N/A
Maximum Building Height (ft.)	40
Maximum Accessory Building Height (ft.)	12
Maximum Building Coverage	50%
Minimum Front (South) Setback (ft.)	30
Minimum Street Side Setback (ft.)	30
Minimum Side Setback except for Street Side (ft.)	20
Minimum Total Setbacks, Both Sides (ft.)	40
Minimum Rear Setback (ft.)	20 ^(c)
Minimum Recreational Open Space (sq. ft./d.u.)	408
Minimum Private Open Space (sq. ft./d.u.)	52
Minimum Setbacks from single-family residential zoning	
Building Height 20 feet or less (ft.)	30 ^(a)
Building Height between 20 and 30 feet (ft.)	50 ^{(a) (b)}
Building Height greater than 30 feet (ft.)	50 feet + 5 feet for every foot over 30 feet ^(a) ^(b)

(a) As measured from a single-family residential lot property line.

- (b) No three-story elements shall be located within 145 feet of a single-family residential lot property line along the western boundary of the property.
- (c) No three-story elements shall be located within 40 feet of the northern boundary of the property.

ADDITIONAL REGULATIONS

General

1. Unless expressly modified in this document, all development within the Property shall comply with the requirements of the City of Goodyear Zoning Ordinance, including the requirements applicable to development in the MF-24 Zoning District set forth in Chapter 3 (Multi-Family Residential) of the City of Goodyear Design Guidelines.
2. All permitted uses are subject to Administrative Site Plan review.
3. Views into the development from public streets are encouraged and the construction of solid fences and walls measuring six feet (6') along the boundaries of the Property that face public streets is prohibited unless authorized by the Zoning Administrator.
4. Trash enclosures shall be located a minimum of twenty feet (20') from all residential buildings unless a trash enclosure is fully enclosed within a building. All trash enclosures within twenty-four feet (24') of a structure that is two stories or greater shall be covered with a trellis. Landscaping shall be installed between the buildings and the trash enclosure.

Architecture and Design Standards

1. Except as modified by "The Picerne at Palm Valley Development Regulations, MF-24 with PAD Overlay" document and/or stipulations set forth in the zoning ordinance, the Property shall be developed in accordance with Chapter 3 of the City of Goodyear Design Guidelines.
2. The design of all multi-family residential buildings shall incorporate four-sided architecture.
3. All gates within the Property that provide access to fire lanes or emergency service vehicular access drives shall be wrought iron gates or be of a similar material and style and shall be consistent with other such gates found within Palm Valley. Chain-link fences and barriers with any sort of chains, including drop chains, are prohibited.
4. Residential buildings that front or are oriented toward PebbleCreek Parkway or Monte Vista Road shall include adjacent pedestrian walkways/paseos and shall provide views into the residential development. Special design attention and detail

shall be placed on residential buildings and walls/fences located near PebbleCreek Parkway and Monte Vista Road from a street and layout perspective. To accomplish this goal, the development of the Property shall comply with the following:

- a. The preference is for residential buildings to face towards PebbleCreek Parkway and Monte Vista Road when built adjacent to those roadways.
 - b. First floor units should have patios with screen walls which face PebbleCreek Parkway and Monte Vista Road.
 - c. Any perimeter wall or fencing constructed adjacent to PebbleCreek Parkway and Monte Vista Road shall be either a view fence or a combination view wall and view fence that consists of a minimum of two feet (2') of view fencing on top of a maximum of four feet (4') of Concrete Masonry Unit (CMU) or block that is equivalent in screening, except where needed to screen trash enclosures, parking, utilities, and mechanical equipment.
 - d. A minimum of four (4) structurally shaded pedestrian connections which connect the residential development to the adjacent public sidewalks or trail on PebbleCreek Parkway and Monte Vista Road, and are separate from the entry driveways, shall be provided, with a minimum of at least one (1) connection to PebbleCreek Parkway and one (1) to Monte Vista Road. Parking shall not be permitted within the building and landscape setbacks along PebbleCreek Parkway and Monte Vista Road unless it is screened from view from public streets with a solid wall that contains at least four feet (4') of Concrete Masonry Unit (CMU) or block that is equivalent in screening.
5. All residential buildings and the units within those residential buildings shall have pedestrian access to internal amenity areas via sidewalks and paths that are not located within vehicular drive aisles or the main vehicular ingress/egress drives. Where a pedestrian connection crosses a drive-aisle, drive-way or drive-through, it will contain decorative paving such as pavers, colored concrete, stamped concrete (not stamped asphalt), or other approved material.
 6. At least two (2) base colors and three (3) accent colors/materials shall be used for residential buildings constructed within the Property. The combination of base colors and accent colors/materials shall be used in a manner that creates a minimum of 3 (three) unique combinations of base colors and accent colors/materials ("Building Schemes") throughout the Property.
 7. The color palettes for all structures within the Property shall incorporate a variety of colors and not rely on various shades of grays/browns.
 8. The roof heights of all residential buildings constructed within the Property shall be varied and include pitched tile and/or tower-like tile elements in a style similar to those roofs and tower elements found within Palm Valley Phase VIII.
 9. In order to add to the uniqueness and street character of the project, all portions of residential buildings visible from a public sidewalk shall incorporate colors for the trim, fascia, siding, recessed features, shutters, and/or pop-outs which are different

from the main body color of the residential building.

10. Private outdoor open space is that portion of the unit devoted to outdoor recreational use by the individual resident(s) of the unit. This area is provided in addition to the common recreational open space. Private outdoor space shall be provided in the form of private yards, patios, or balconies. The minimum length of patios and balconies shall be five feet (5') and the minimum width of patios and balconies shall be five feet (5'). The total minimum area of each patio and/or balcony shall be fifty-two (52) square feet.
11. A minimum ten-foot (10') wide landscape setback with a row of non-deciduous trees spaced an average of twenty feet (20') apart, as measured on center, shall be maintained along the west property line of the Property.
12. If an entry drive aisle is located along the north property line of the Property and is within the otherwise required twenty-foot (20') landscape setback, then a minimum twenty-five-foot (25') wide landscaped area shall be provided between the back of curb of the drive aisle and any building. This area may include a five-foot (5') wide sidewalk; a view fence consisting of at least two feet (2') of open view fencing and no more than four feet (4') of solid wall, provided that a minimum five-foot (5') wide landscaped area is maintained on the north side of the view fence; and an ingress/egress drive with gate and solid wall support for the gate, provided the sections of solid wall are not longer than twenty feet (20').
13. An unpaved trail/path at least eight feet (8') wide, composed of compacted decomposed granite (DG), shall be provided along PebbleCreek Parkway and Monte Vista Road.
14. A minimum of two (2) pedestrian bench or seating areas, each with an adjacent shade tree, shall be provided along the public sidewalk or trail on both PebbleCreek Parkway and Monte Vista Road.
15. Trees and landscaping along both sides of the trail/path along PebbleCreek Parkway and Monte Vista Road shall be provided where possible.
16. A view fence or a combination view wall and view fence may encroach into the PebbleCreek Parkway and Monte Vista Road Landscape Setbacks by no more than five feet (5').
17. Any structural projection on MF-24 Buildings, including balconies and patios (covered or uncovered), bay windows, eaves, ornamental features, or similar shall be permitted to encroach into the front and street side setbacks by not more than two feet (2'). Ground floor projections that include patios (covered or uncovered) surrounded by walls that are four feet (4') or less in height and include pedestrian gates and paths allowing pedestrian access directly to the adjacent public sidewalk, shall be permitted to encroach into the front and street side setbacks by not more

than five feet (5').

18. The style of perimeter walls surrounding the property shall match or complement the existing walls in the Palm Valley Phase VIII area.
19. Any multi-family development within the Property is encouraged to include "Palm Valley" on any monument sign located at the northwest corner of PebbleCreek Parkway and Monte Vista Road. The term "Palm Valley" may appear as part of the development name, on the sign face, or incorporated into the sign base. If the name "Palm Valley" is included on any monument sign located at the northwest corner of PebbleCreek Parkway and Monte Vista Road then the name "Palm Valley" and any words/sign elements used solely for this area branding shall not count toward the development's allowable signage area.
20. All pedestrian connections through parking lots and drive aisles shall be clearly marked with enhanced decorative paving such as pavers, colored concrete, stamped concrete (not stamped asphalt), or other approved material.
21. Any building that is either partially or entirely within the portion of the Property which is both within 150 feet of the Property's western property line (adjacent to single-family residential) and within 90 feet of the Property's southern property line (adjacent to Monte Vista Road) are to be restricted to two stories.
22. Any building that is either partially or entirely within 166 feet of the subject site's western property line shall contain exterior anti-glare window treatments on all second-story and third-story windows that face due west and are not recessed into a balcony area.
23. Any building that is either partially or entirely within both 166 feet of the subject site's western property line and 262 feet of the subject site's southern property line shall contain exterior anti-glare window treatments on all second-story and third-story windows that face northwest and southwest and are not recessed into a balcony area.
24. Any third-story windows facing due west and within two hundred feet (200') of the property line of a single-family-lot along the Property's western property line shall be clerestory windows.
25. The western boundary of the Property shall have a wall that runs from the northwest corner of the Property to a point that is at or within thirty feet (30') of the Property's southern property line.
26. Any vehicular entrance to the Property from Monte Vista Road shall include a deceleration lane, which deceleration lane shall be subject to approval by the Development Services Department.
27. The Property shall have a secondary access point that allows for resident ingress,

general egress and full emergency access. Such secondary access point is subject to approval by the Development Services Department.

Amenities

1. To satisfy the requirements of Section 3-5-5 of the Goodyear Zoning Ordinance, all of the following amenities shall be provided:
 - Minimum 10,000 square foot clubhouse/leasing office (may be located in separate buildings)
 - Fitness center (may be located in clubhouse)
 - Cabana
 - Internally located shaded ramada with seating areas
 - Pool of at least 1,900 square feet
 - Dog park
 - Shaded Tot-lot
 - Outdoor barbeque area
 - Outdoor kitchen
 - Unprogrammed open turf area (artificial or live turf)
 - Outdoor game courtyard

Other amenities may be substituted for those listed above, as administratively approved by the Zoning Administrator.

Picerne at Palm Valley
Northwest corner of Monte Vista
Road and PebbleCreek Parkway



P22-200-00006 Picerne at Palm Valley Rezone

Picerne at Palm Valley

Project Narrative
NWC Monte Vista Road & PebbleCreek Parkway
Goodyear, AZ

A Rezone request from MF-18 PAD to MF-24 with PAD Overlay
Case Number: 22-20000006

Submitted: March 16, 2022
Revised: March 17, 2025

Prepared for:
Picerne Real Estate Group

Prepared by:
Earl & Curley, P.C.

Principals and Development Team

Owner/Developer:

Picerne Real Estate Group

4518 N. 32nd Street

Phoenix, AZ 85018

Attn: Derek Picerne, VP of Development

Phone: (602) 279-8484

Email: derekpicerne@picerefl.com



Representative/Legal Counsel:

Earl & Curley, P.C.

3101 North Central Avenue, Suite 1000

Phoenix, Arizona 85012

Attorney: Taylor Earl

Principal Planner: Ricardo Toris

Phone: (602) 265-0094

Email: tearl@earlcurley.com

Email: rtoris@earlcurley.com



Architect:

Biltform Architecture Group, Inc.

11460 N. Cave Creek Road, Suite 11

Phoenix, Arizona 85020

Attn: Jim Applegate, Principal

Phone: (602) 285-9200

Email: jim@biltform.com





INTRODUCTION

On behalf of our client, Picerne Real Estate Group (“Picerne”), we are pleased to submit this rezoning request and supporting documents. This Project Narrative is provided in support of a Rezoning request for the +/- 20 acre (gross) site located at the northwest corner of Monte Vista Road and PebbleCreek Parkway (“Property”). The Property’s APN is 508-14-894.

The Property is generally bounded by Monte Vista Road along the South, PebbleCreek Parkway along the east, an existing multi-family rental community along the north and an open space/pedestrian pathway for a single-family residential development along the west.



The developer of this luxury community will be Picerne Real Estate Group an Arizona based developer, with a well-earned reputation for creating quality residential communities.

The site is currently zoned PAD, within the Palm Valley Phase VIII PAD, and allows for up to 315 units. The site received Site Plan approval through Case No. 07-600-00040 for 300 residential units, but that project was never built and has since expired. Our proposed rezoning request would be to rezone the Property from MF-18 PAD to MF-24 with PAD Overlay to provide for an increase in density to accommodate the City's employment growth and to support a potential mixed-use, urban development at Estrella Falls. Whereas 315 units would be allowed

on this site, we are requesting 383. In the process, we will also be upgrading the product that was planned for this site.

Picerne is seeking this rezoning to allow for the development of a secured luxury residential community with approximately 383 apartment homes offering a range of 1-, 2- and 3- bedroom units. The proposed building architecture and open space areas will provide a distinct upscale living environment for residents of this community. The use of various colors and materials, and both horizontal and vertical plane movement will emphasize the building's unique urban design both for the residents of the new community and also for the area residents when walking or driving past the development. All of the architectural elements will tie together to provide a strong identity for the site that complements the surrounding properties as well as creating an inviting atmosphere for both residents and guests. The project provides a design that uses view corridors and architectural focal points to emphasize the interior residential amenities. This well-conceived infill concept will add to the diverse housing types in this growing area of the community.

Vacant land and vacancies within such an important mixed-use area is undesirable. Our proposal will bring needed residents to this Property who will support the retail, entertainment, and dining options in the nearby Estrella Falls/The Market and Centerpointe commercial centers.

GENERAL PLAN CONFORMANCE

The entire 20-acre Property is currently designated in the Goodyear General Plan as "Neighborhood." The Neighborhood designation allows for "a wide range of densities and housing products, public and community facilities such as schools and places of worship, and commercial uses at appropriate intensities and locations." This Property is already approved for multi-family residential and therefore no change in land use designation is necessary. Our proposed rezoning request seeks to rezone the Property from MF-18 PAD to MF-24 with PAD Overlay, which would provide an increase in density that better supports the mixed-use and urbanization developments of GSQ and Estrella Falls just to the east.

The proposal fits well within its "Neighborhood" surroundings. Within .5 miles of the property, the following uses are present: multi-family, single-family, retail, and office.

The New Surrounding Environment

Since this project was originally approved, the needs of the City and the character of this area have changed. The City is in greater need of density to support its employment growth and to house the many people that have moved and will continue to move to Goodyear. The City and the West Valley have seen an explosion of growth. Housing continues to be needed to keep up with demand now and in the future. To help meet that demand, this proposal simply adds additional units to a site that is already zoned for multi-family. For the City, this is a better approach than, for example, needing to rezone commercially zoned land to multi-family to meet the same demand.

This immediate area has also changed dramatically since the original PAD was approved. Since that time, the City has invested considerably in its multi-phase GSQ, with a beautiful city hall building, two-story library, two-acre park for community events and gatherings, upscale office space and additional space for new restaurants, retail and entertainment. The City also recently approved a PAD for the neighboring Estrella Falls center, which will be an urban mixed-use development unlike anything Goodyear has seen before. This is a game-changer for this area. Surrounding developments, like ours, must take these changes into account.

The subject site is within walking distance of all of these new uses, in addition to the long-standing retail and office that was already significant. This has all dramatically increased the desirability of additional density on this site. The subject Property's future residents will greatly benefit from close proximity to dining, retail, entertainment, the library, and the City's other programmed events. Likewise, the City will greatly benefit from additional people to support such uses. The more people that support such uses, the greater the City's ability to attract and retain top users. Retail and restaurant spaces can fill up, but the City wants high-quality users to fill those spaces. The City cannot control which tenants move in, but it can approve projects like ours that bring people to the area. People equal buying power, and that is what quality commercial tenants look for before investing in an area. People are the City's best insurance against vacancies or low-quality commercial users.

General Plan Development Standards

The General Plan includes Development Standards that are meant to guide decision making during the rezoning and development review process. These standards are different than policies and were created to be used in the evaluation of rezoning requests. These standards are intended to serve as a guide. The following justifications show how an increase in density meets the General Plan development standards and is appropriate at this location.

As mentioned, the Neighborhoods category includes a wide range of densities and housing products that are intended to suit the needs of existing and future residents. Residential densities in this category are wide-ranging, but the Development Standards provide a guide for where specific densities are suitable and what the desired form for those residential densities is. As shown within this narrative, the proposed increase in density, at this location and done in the manner being proposed, is appropriate and desirable.

Universal Development Standard 27. Residential uses with densities over 12 dwelling units per acre may be considered along arterial roads, interstate corridors, transit corridors, adjacent to employment or commercial areas, adjacent to regional or community parks or open space areas, or to provide transition between residential and non-residential uses. These developments should have access onto an arterial roadway or be able to access an arterial roadway through a commercial or other non-residential development. (Emphasis added)

The guideline suggests that higher density may be considered in several contexts that apply to our site (i.e. those underlined above). The Property is adjacent to an arterial street. As for open

space and parks, there is a neighborhood park directly south of the site, the City's GSQ has a linear park to its west (which the City seeks to activate), and there is a significant open space in front of the library that is used for events. The Property is next to a commercial power center across PebbleCreek Parkway, and it is within a short walk of the City's GSQ employment area. Accordingly, increasing the density at this location is squarely in line with the City's General Plan.

Universal Development Standard 29. High density residential developments should not be located directly adjacent to single-family residential developments with densities under 5 dwelling units per acre unless a public roadway, park or open space area, medium density residential development, or similar features provides a buffer between these uses.

Our project meets this standard because the Property is near but not adjacent to single-family residential homes. Between this community and the existing single-family homes to the west is a 50-foot-wide open space and pathway. This creates a built-in buffer and separation. The language above identifies public roadways, parks or "similar features" that can serve as buffers between such communities. This 50-foot-wide pathway and open space is a "similar feature" because it has the width of a local street but the low activity and landscaping of a park.

This proposal also provides a transition between residential uses through the proposed setbacks, building heights, and stepbacks. Special care was taken in the design of these buildings to push the buildings far away from the residential property lines, to introduce a row of trees planted 20 feet on center along the western property line to act as a screen, and then to restrict the height of the western side of the buildings to two-stories. We have also been mindful of three-story windows and have tried to position those to face away from the west. We submit that these are the types of transition techniques and features that, although not always possible, are ideal methods for accommodating density near single-family communities. These design features and efforts are squarely in line with the letter and spirit of the above-referenced General Plan standard.

Universal Development Standard 30. High density residential projects are most appropriate and encouraged to locate: a. Within a 10-minute walk (approximately ½ mile) of a transit station (e.g., local bus station), or b. Within a 10-minute (approximately ½ mile) walk of a regional or community park or other significant open space feature or major trail system, or c. Within a mixed-use development, or d. Adjacent to commercial centers.

The facts supporting our compliance with this provision have been outlined previously, but we will elaborate here. The property is within a 10-minute walk of several features that comply with this standard. The Property is adjacent to a neighborhood park directly south of the site. While our proposal will provide significant amenities to residents, this park provides a basketball court, tot lot, ramada, and a large grass area that is unprogrammed. Furthermore, along with the rezoning request, the developer proposes to include a trail pathway with seating areas along both street frontages, which can be enjoyed by its residents but also the general public.

The City's GSQ also features both a linear park on the west side and an open space in front of the library where events are hosted. Below is from the City's website regarding the GSQ open space:

This two-acre park is designed to be the heart of Goodyear. This is a public place to gather with friends and family for festivals, concerts and parades, creating a sense of pride and hometown feel for our community. It will also serve as a welcome amenity for the office workers at city hall and surrounding office buildings.

The open space referenced above is one of the most significant park features in the City's history, and our residents will be within walking distance.

As for commercial areas within a 10-minute walk, the Estrella Falls power center exists across from this site, which is both a major asset to this community and a place where our residents can provide the City with great spending support—to help secure and retain top quality tenants.

The City's recent approval of the Estrella Falls mixed-use development is a magnet for the density we are proposing. The City needs people to support this use, both those who drive in but also those who are within walking distance—as the residents of the subject Property will be. People are the lifeblood of mixed use centers. Without them, robust mixed-use centers will never fully develop, perhaps beyond an initial phase or two, and they will never realize their potential.

Similarly, the City's development of its GSQ not only brings open space but also City services, a library, employment, and other retail opportunities. Again, our residents will be within walking distance.

One benefit that is often overlooked is what increased density can bring to the area and City. The City of Goodyear would benefit from the increase in state shared revenue. The portion of that state shared revenue flowing to Goodyear is a function of Goodyear's population base. Therefore, increasing the population through the addition of density on the subject parcel would increase population and thus increase Goodyear's portion of state shared revenue. Goodyear's share of state shared revenues could be used to pay for essential city services like police, fire, road maintenance and parks. Supporting an increase in density for a multi-family residential community, at a location near the types of open space and services described above, meets this guideline.

Universal Development Standard 31. Pedestrian and bicycle connections shall be provided to internally and externally link residential uses to nearby commercial uses, schools, parks, other neighborhoods, and other important destinations by walking or biking.

As mentioned, the developer proposes to include a trail pathway with seating and shade areas along both street frontages which can be enjoyed by its guests and/or the general public. Internal

connections from this development to the adjacent public sidewalks and trails system will provide links for their guests to have the ability to walk or bike to nearby parks and shopping.

Universal Development Standard 32. New subdivisions should be designed to provide convenient pedestrian access to adjoining streets, open spaces, and commercial areas. Subdivision design is encouraged that minimizes or avoids the use of typical subdivision perimeter walls. If subdivision walls are proposed, they should include pedestrian access points for pedestrian movement. The pedestrian access points should be strategically located to maximize usage by residents.

While this is not a subdivision, this request is designed to provide its guests with convenient pedestrian access to adjoining streets, open spaces, and the nearby commercial areas. The project's perimeter walls will have pedestrian access gates strategically located to allow guests quick and convenient access to the public sidewalks and nearby transit stations.

Universal Development Standard 33. Gated communities do not have to provide pedestrian access points but they should allow for public regional trail connections. Gated communities are encouraged to provide pedestrian access points even if they only provide access to residents who live in the community.

Appropriately located pedestrian access points will be provided through the project's perimeter walls to allow guests quick and convenient access to the public sidewalks, trails system, and nearby transit stations. By so doing, a pedestrian experience will be supported.

Based upon the analysis provided above, we believe the proposed rezoning to MF-24 with PAD Overlay is consistent with the standards and vision of the City of Goodyear's General Plan. As such it will be a good land use solution for the subject site.

REQUEST

The property is currently zoned PAD and is part of the Palm Valley Phase VIII development. The zoning was conditionally approved with the adoption of Ordinance No. 2005-940 by the Goodyear City Council back on May 9, 2005. The Palm Valley PAD designates this site with a land use of UR/H, High Density Residential. Although the UR/H category is not specifically documented in Ordinance No. 05-940, the City has determined via interpretation that the UR/H land use category in the Palm Valley PAD must adhere to the MF-18 zoning district criteria. Picerne is seeking to rezone the existing zoning category on this Property from MF-18 PAD to a MF-24 with PAD Overlay designation to enable the development of a luxury residential community that will support the continued vibrancy of this area. Additionally, the previous approval allowed a maximum building height of 30 feet and this amendment seeks a maximum building height of 38 feet. This is a relatively minor height increase, especially when the proposed protections to the western neighbors are considered. The companion PAD Overlay Standards outline what deviations are being sought in addition to the MF-24 zoning.

The City's Zoning Ordinance suggests that the Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:

a. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted;

For compliance with the General Plan, we refer the reader to the preceding section, wherein we have elaborated on how this request complies with the standards of the General Plan. In short, the site is already approved for multi-family, and this request for additional density would support the City's growth in employment, its need for housing, and its desires for a nearby mixed-use urban center and city square with a high-quality mix of uses. The project proposes to do all of this while at the same time installing significant transition buffers to the communities west and north of the subject site.

Picerne's proposed community will be developed at a luxury level, with sophisticated and upscale design, internal walkways, significant amenities, balconies and patios, and high-end community amenities. The community will be gated to provide residents with a sense of place and security within the overall community. The community will feature ample amounts of tenant and guest parking to alleviate the types of parking burdens that are often present in multi-family communities. It will also provide residents with the option of renting townhome type carriage units with private garages.

This proposal will not only bring a new high-end residential development to this underutilized site, but with its luxury level design, we anticipate it will attract residents with the type of disposable income that is needed to support the surrounding and proposed commercial, retail, restaurants, entertainment, and local businesses in the area. Additionally, with the pandemic having permanently increased the number of individuals working from home, we anticipate our future residents to assist in addressing the need for daytime patronage for those commercial establishments.

In our view, it makes a great deal of common sense to locate needed multi-family density on sites that are already zoned for multi-family, like this one, rather than on other parcels that may be zoned for commercial or other uses. Picerne is proposing an appropriate increase in density on the site (from 315 to 383)—appropriate given the Valley's need for housing to meet both immediate and long-term growth and to support the City's effort to secure and maintain high-quality commercial users at the City's Civic Square and Estrella Falls. The City doesn't just want to fill the present and future commercial spaces nearby, it wants to attract *high-quality* commercial tenants for those spaces. And the City doesn't just want to fill them, the City wants to fill them and *keep* them filled. All of those efforts will require a very large amount of people, together with their disposable income. One need look no further than Downtown Phoenix to see that it takes thousands upon thousands of residential units to create the type of critical mass that can support quality commercial users.

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

The Property is relatively flat with no significant natural features. The square shaped property was previously planned for a multi-family community that was not built at a lower density. It's important to note that the property is not directly adjacent to single-family residential homes and that the multi-family land use designation is not changing. While the request seeks to increase the density, the property's size, shape, and location are all suitable for the proposed rezoning request.

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

The property is well buffered from its neighbors. To the west is a 50-foot-wide open space and pathway that will remain as a permanent buffer between the proposed community and the single-family homes to the west. Additionally, as discussed above, the project proposes a row of trees on the western property line, significant building setbacks, building stepbacks that push the three-story elements further away from the west, and windows oriented away from neighbors to increase the compatibility between communities.

To the north is another multi-family residential community. Next to it, we have limited the height of the buildings to two-stories, as these will be our carriage units. It is unlikely the three-story buildings would be visible over these buildings from the yards of the adjacent multi-family build-to-rent units.

To the south and east are two streets that provide separation from a park, commercial properties, and multi-family residential.

The combination of the site, its surroundings, and the proposal are a good fit. The project itself is two and three stories, which is in harmony with other two-story, single-family homes and the multi-story residential in the area. In the GSQ Regional Center approved by the City Council, heights are permitted to reach 200 feet. Moving westward, to the project that across Pebble Creek Parkway from the subject site, building heights are 4 stories. On the eastern side of the subject site, heights will be 3 stories. On the western edge of the site, heights will be limited to 2 stories. This type of stair-stepping of height, away from the City's downtown core, is proper land planning.

As stated earlier, there is a range of housing density in the immediate area. This proposed development will fit within that character of the area and within the other uses along PebbleCreek Parkway. This proposed use helps address the housing need and is much better for the City's employment and retail uses.

The Property is over 3 miles from Luke Air Force Base, over 5 miles to the City of Glendale Municipal Airport and over 2 miles to the Phoenix/Goodyear Airport. This site is sufficiently separated from airports and the associated noise contour lines.

d. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning;

The General Plan designated this parcel as "Neighborhood," which allows multi-family residential and therefore no change in land use designation is needed or necessary. The current zoning (which has been in place since 2005) allows for multi-family residential but is zoned MF-18 and only allows a maximum of 18 du/ac. The proposed rezoning request does not seek to change the land use but rather seeks to merely allow for additional density to match the City's change to the area since it was originally zoned. This property has already been deemed a good location for multi-family through the existing entitlements. And when consideration is given to the proposed setback, building stepbacks, and the existing built-in buffer, the proposed zoning is consistent with the existing land uses within the immediate area.

The Property is well buffered from the residential homes, is adjacent to another multi-family residential project, and is adjacent to two streets. The land use and zoning on this site are completely appropriate given that context.

Consideration should also be given to the housing demand and the housing need that the City, State, and nation are currently experiencing and will continue to experience in the future as growth continues. Allowing an increase in density for a Property as well situated as this one makes sense and helps address the housing need.

e. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand;

As elaborated above, there is a demand for multi-family in the area and that demand will continue as the City's Downtown continues to increase and as the West Valley attracts additional employment. This area has seen an uptick in development and zoning activity as it sits near the City of Goodyear's town center. The site is also strategically located near the Loop 303 Freeway and the I-10 Freeway, which links up to the Loop 101 Freeway and the I-17 through this area and serves as a major growth center within the west valley. The proximity of Luke Air Force Base, PV 303, GSQ, Estrella Falls, The City center and many other larger employers and an expanding base of businesses in the area makes this site ideal for this type of unique and luxury-level multi-family development. The proposed development will deliver needed housing diversity in this area.

There is a certain housing demand that needs to be addressed in the City. Where possible, it makes more sense to address that demand on sites that are already zoned/planned for multi-family than on sites that are not. Here, we have made changes to the project that install proper buffers and transitions for that increase in density.

f. Demands for public services that will be generated by the uses permitted in the proposed zoning district;

The proposed development's demand for public services will be in alignment with what is typical for multi-family projects. Based on the "Preliminary Water Report" included with this submittal, "It is not anticipated that this development will cause the need for additional storage or booster pump capacity. The existing storage and pumping have room to adequately serve this development."

There are two streets adjacent to the Property. PebbleCreek Parkway is a six-lane divided parkway with three north bound lanes, a raised median, three south bound lanes, a separate west bound right-turn lane, and a separate east bound left-turn lane. Street improvements already exist on the west side of PebbleCreek Parkway. Monte Vista Road is a three-lane roadway with a west bound lane, dual center turn lane, and an east bound lane. Street improvements already exist on the north side of Monte Vista Road. Monte Vista Road widens at the intersection to accommodate two west bound lanes tapering into a single lane. It also accommodates a north bound left turn, an east bound thru lane, and a south bound right turn lane. The intersection of PebbleCreek Parkway and Monte Vista Road is signalized.

Below is the School Impact Analysis from this development.

Column A	Column B	Column C	Column D
School Type	No. of Residential Units	Student Ratio	No. of Students
Elementary School (K-8) Litchfield #79 ESD	383	0.30 Student/Unit	115
High School (9-12) Aqua Fria Union HSD	383	0.19 Student/Unit	73
Total			188

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

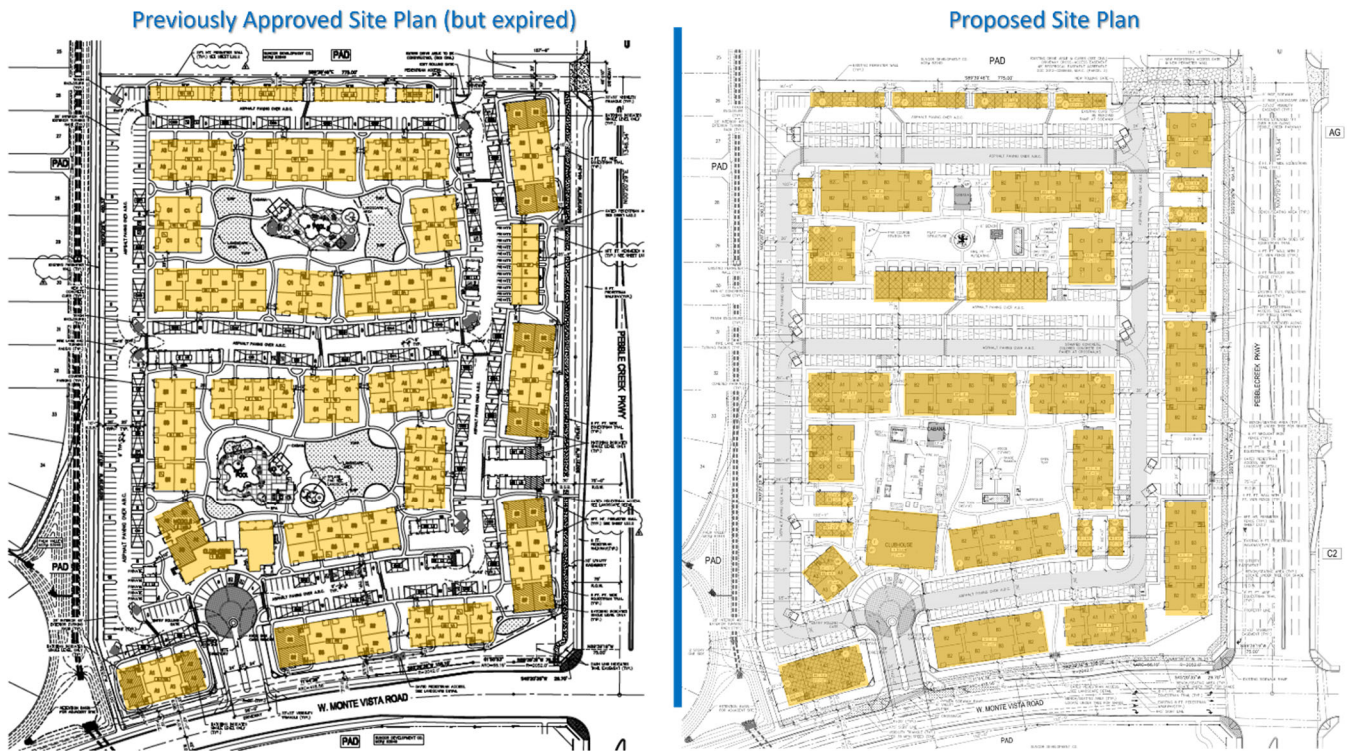
There are existing public services already provided in the area.

PAD Overlay Justifications.

As mentioned, Picerne is proposing a high-end residential community that will provide needed density for the City's employment and needed rooftops to support the City's commercial. Rather than develop at the edge of the City, we are developing on a site that has already been approved for multi-family and on a parcel that is in the heart of the City and near the City's new urban focus. We are only asking for a minor amount of relief under the PAD Overlay, which is appropriate given the surrounding buffers. This relief is important to be able to accomplish the project.

Site Plan

Picerne's proposal would stay within the general footprint of the previously approved (now expired) site plan, as can be seen in the comparison exhibit below (full size exhibit attached).



(Note that the amenity area has not been fully programmed but will be as part of the first submittal).

The increase in density would be achieved by increasing the height from one and two stories to two and three stories. In requesting this increase in height, we recognize there is a single-family community west of the site. But the proposal incorporates substantial setbacks from those residential lots, for both two-story and three-story building components. It also adds a row of trees planted 20 feet on center along the western property line, which will combine with the +/- 50-foot-wide open space between the projects to form a lush landscape buffer. Additionally, windows on the three-story buildings have been carefully positioned to prevent westward views. All of this has been done to minimize the impact of the additional height.

For the proposed 383 units, the project will provide a total of 746 parking spaces for residents and guests, in compliance with the City's parking standards. This number includes covered and uncovered surface parking and garages. That is a ratio of 1.90 parking spaces per unit, which is above average across the Valley. For sake of comparison, note the City of Phoenix's parking standard is 1.5 spaces per multi-family unit.

The community will primarily be accessed through the main driveway located off Monte Vista Road along the southern portion of the property. Per a request from the community, this entrance will incorporate a deceleration lane to minimize the impact of the entrance on the current flow of traffic on Monte Vista Road. A secondary gated entry/exit drive is proposed near the northeast corner of the property that will provide access to PebbleCreek Parkway. After meetings and conversations with members of the communities to the west, we learned that community members were concerned that all traffic would be entering the project through the Monte Vista Road entrance. In response, Picerne added resident-only access to this secondary access point, in addition to general egress and full emergency access.

All service and maintenance related amenities such as trash and mail services will be screened from public view via enclosures, landscaping and/or building placement and will be evenly distributed throughout the site for safe and convenient access. Landscaping within the community will be designed to meet the standards set forth in the City's ordinances and will include building foundation plantings, open space plantings, and parking lot plantings.

As emphasized throughout this narrative, the proposed increase in density makes sense at this location. The site is right next to the I-10 Freeway, which will connect residents to the many employment opportunities along the I-10, Loop 101 and Loop 303 Freeways—employment the City and other Valley cities have worked very hard to secure. It is near the City's new downtown core, where density will be critical to supporting the best restaurants, retail and other commercial uses in that downtown area.

We understand the City is looking carefully at each multi-family project and is seeking to diversify its residential offering between single-family and multi-family. Yet, the demand for additional multi-family is and will continue to exist in Goodyear and will be strong in the shadow of the City's new downtown. Additionally, this proposal seeks to add needed density on a site that already has multi-family zoning rather than seeking to rezone a commercial parcel to multi-family.

We recognize that not all areas of the City should have high levels of density. But we would ask this question: if not here, where? This area has become the City's downtown, mixed-use area. This is where density is expected and needed for the downtown to reach its greatest potential. Some residents will want to live in the Downtown, on top of the action. Others will prefer to be in its shadow, in the second ring, so they are close enough to walk to the Downtown, shop, and dine, but far enough to reduce the sound, traffic, and activity. Such housing diversity will be critical for the City's Downtown to thrive.

Below is a Development Standards comparative table that illustrates the MF-24 Development Standards next to the proposed Picerne at Palm Valley PAD Overlay Development Standards. The bold print are the proposed deviations from the typical MF-24 standards.

Development Standard	MF-24	The Picerne at Palm Valley PAD Overlay
Maximum Density in Du/Ac	24	24
Minimum Lot Width	100 ft.	100 ft.
Minimum Lot Depth	N/A	N/A
Maximum Height (ft.)	40	40
Accessory Building (ft.)	12	12
Maximum Building Coverage	50%	50%
Minimum Setbacks		
Front (ft.) (South-Monte Vista)	30	30
Street Side (ft.)	30	30
Side except for Street Side (ft.)	20	20
Total Both Side (ft.)	40	40
Rear (ft.) (North)	30	20 (c)
Minimum Setback from single-family residential zoning		
Building Height 20 feet or less (ft.)	30	30 (a)
Building Height between 20 and 30 feet (ft.)	50	50 (a) (b)
Building Height greater than 30 feet (ft.)	50 feet + 5 feet for every foot over 30 feet (a)	50 feet + 5 feet for every foot over 30 feet (a) (b)
Recreational Open Space (sq. ft./d.u.)	400	408
Private Open Space (sq. ft./d.u.)	60	52

(a) As measured from a single-family residential lot property line.

(b) No three-story elements shall be located within 145 feet of a single-family residential lot property line along the western boundary of the property.

(c) No three-story elements shall be located within 40 feet of the northern boundary of the property.

Height to Achieve Density and On-site Buffering

The only practical way to achieve the additional density on this site is through an increase in height. In suburban environments, development stays low and stretches out for many miles. This creates heavy dependance on vehicles. To create a walkable environment, the City needs thousands of residential units within a walkable distance. The only way to do that is to go up instead of going out.

Of course, typical urban density would come in the form of buildings taller than the three-story buildings proposed here. For example, 200 feet of height is allowed under the City's approval for the GSQ Regional Center, where a traditional urban design is contemplated. And as development moves outwards, that height should become more compatible with adjacent single-family communities. That is why we believe three stories is the right fit on this site. Our project would act as a transition between the single-family to our west, the four-story project immediately to the east, and the even taller and denser multi-family that is allowed to develop in the GSQ Regional Center. We believe our proposed design balances the needs of the City, the landowner, and the adjacent community.

Height can sometimes be viewed as a negative when there are no buffers or height restrictions and when it is immediately adjacent to single-story residential. That is not the case here. The residential homes to the west have a significant built-in buffer that separates their homes from this Property. The buffer is 50 feet wide and was designed as a landscape buffer with a pedestrian pathway that runs north to south from Monte Vista Road to Virginia Avenue. In addition to that buffer, we are proposing a row of screen trees, window restrictions, setback restrictions, and stepback provisions in the PAD that provide further protection of views to the residential homes.

For example, the closest two-story building elements are located a minimum of +/- 113 feet from the residential lot property lines to the west. And the closest three-story building elements are located a minimum of +/- 145 feet from the residential lot property lines to the west. Furthermore, the first row of buildings along the west side of our community are either two stories in height or have a two-story component along the west side of the building. When consideration is given to the height restriction, buffer, setbacks, and stepback, there is sufficient transition that makes this increase density appropriate.

Setbacks

As referenced previously, design features are being implemented to provide compatibility to the existing surrounding developments. For example, two-story height limitations are being proposed along the majority of the north property line and all of the west property line to be more consistent with the adjacent developments. This is a significant concession but one that will ensure a proper transition between densities.

Along the north property line, the previously approved (but now expired) Site Plan showed two-story loft style buildings with a 20-foot building setback along the northern property line. Our proposal seeks to maintain the same two-story building height limitation and 20-foot setback. This setback also matches the 20-foot setback on the adjacent multi-family property, which creates consistency between the two communities.



There is one exception to the two-story building height limitation along the north property line. The building located at the northeast corner of the property is a three-story building. However, this building is located next to a driveway aisle, a retention basin, a parking area, and PebbleCreek Parkway. There is approximately 125 feet between our three-story building and the closest residential unit to the northwest.

As noted, the rear 20-foot setback matches the 20-foot setback of the community to the north. Note that this is a slight reduction in the MF-18 rear setback standard, from 30 feet to 20 feet. As a tradeoff for that slight reduction, the development will offer a publicly accessible multi-use trail along Monte Vista Road, complete with benches and shade trees. This will provide a public benefit and amenity that we believe effectively offsets the reduced setback. This trail will be available for use by the project's residents, but just as importantly, it will be open and accessible to all members of the public.

Moreover, as a general matter, a rear setback of 30 feet is typically only necessary when there are non-compatible uses or developments abutting each other. But that is not the case here. These two adjacent developments are multi-family communities that are compatible with one another. The 20-foot setback is a compatible transition and does not negatively impact the property to the north. This is especially true given the trees that are already in the backyards of the units to the north and the trees that this project will plant on the north property line—which

will combine together to form a visual privacy barrier between the projects. This tree buffer will be especially effective given the shallow depth of the backyards to the north.

To ensure additional compatibility between these two multi-family developments along the north, we are proposing a height limitation that states: “No three-story elements shall be located within 40 feet of the northern boundary of the property.” This restriction is being added to the Development Regulations table that is part of this zoning request. And as the site plan reveals, the nearest three-story building to any of the units to the north is 125 feet.

The previously approved (but now expired) Site Plan showed a 25-foot setback along the south property line, along Monte Vista Road. The current proposal increases the southern setback to 30 feet, in compliance with MF-18 standards. Thus, no deviation from the front (or southern) setback requirement of MF-18 is being sought in this request.

As for the western setback, the context in this location is important. There is a 50-foot-wide pedestrian pathway with mature trees and landscape that separates this project from the existing residential lots to the west. It is also wider in certain areas near Monte Vista Road.

Photos of adjacent 50-foot wide pedestrian pathway and buffer

Looking North on the path



Looking South from above



In addition to this built-in 50-foot buffer, we are also using height and setback restrictions for the buildings along the western property line. These will keep height sufficiently far from the residential property lines to the west to protect privacy and create a large buffer.

In addition to this built-in buffer, we are proposing a restriction that requires a row of non-deciduous trees to be planted along the western property line, twenty feet on center, to create a dense landscape screen. The Zoning Ordinance, Section 5-1-4 Landscape Design Objectives and Standards, suggests a minimum buffer width of ten feet shall be provided in multi-family zoning districts when adjacent to a single-family residential zoning district. The standard then states the buffer shall be planted with one non-deciduous tree per 30 feet of buffer length. We will greatly exceed these standards. Planting 1 tree every 30 linear feet would yield 36 trees along the Property's west property line. By planting 1 tree every 20 linear feet, we will be increasing this tree count by 17, which is an increase of 47% over the Ordinance. This increase in trees places trees closer together and will create a denser landscaping screen.

We are also prohibiting the nearest three-story building components from having regular windows that face due west. All such due-west-facing windows, on the nearest three-story buildings along the westside of the property, would be limited to clerestory windows.

In summary, we are proposing the following for the western edge of the project:

- No three-story building elements within 145 feet of a single-family-lot property line.
- Any building that is either partially or entirely within both 150 feet of the subject site's western property line and 90 feet of the subject site's southern property line shall be restricted to two stories.
- Any building that is either partially or entirely within 166 feet of the subject site's western property line shall contain exterior anti-glare window treatments on all second-story and third-story windows that face due west and are not recessed into a balcony area.
- Any building that is either partially or entirely within both 166 feet of the subject site's western property line and 262 feet of the subject site's southern property line shall contain exterior anti-glare window treatments on all second-story and third-story windows that face northwest and southwest and are not recessed into a balcony area.
- All due-west-facing, third-story windows within 200 feet of a single-family-lot property line will be limited to clerestory windows.
- A new perimeter wall shall be installed on the western perimeter of the subject property that shall start from the ending point of the existing perimeter wall and extend southward to a point that is at or within 30 feet from the subject site's southern property line.
- Installation of a row of non-deciduous trees along the western property line, planted 20 feet on center.

It's important to note that the proposed building placements and setbacks are similar to the previously approved (now expired) site plan. The two-story buildings are roughly in the same position as they were previously. And although we have added three-story buildings, by ensuring they are pushed back to +/- 145 feet from the nearest single-family lot line, restricting the due-west-facing windows to clerestory windows, and decreasing the spacing between trees on the western property line (thus creating a more dense visual buffer), we are heavily mitigating any impact of this additional height.

Additionally, note that the proposed two-story buildings are generally pushed further to the east than would two-story single-family homes under the same zoning the community to the west has. Below is an exhibit which shows the location of the two-story units and the approximate setbacks.



When consideration is given to all the above factors, we find that the proposed transition goes above and beyond. Neighbors are often concerned about views into their community. With the accommodations referenced above, we have sought to get out in front of this concern by making design accommodations that mitigate these concerns. Picerne has made reasonable

accommodations that place heavy limits on three-story windows facing due west and pushes the three-story buildings back behind significant setbacks, trees, and two-story buildings or building components.

Patio and Balcony Configuration and Size

The City's Zoning Ordinance requires 60 square feet of Private Outdoor Open Space (sq. ft./d.u.) and defines it as follows: "that portion of the unit devoted to outdoor recreational use by the individual resident(s) of the unit or lot. This area is provided in addition to the recreational open space. Private outdoor space shall be provided in the form of private yards, patios, or balconies. The minimum length and the minimum width of patios and balconies shall be six (6) feet." This request seeks allowance for a different shape for patios and balconies. Removing the strict 6-foot minimum and replacing it with a minimum area requirement allows for flexibility in creating varying patio and balconies shapes that create visual interest to the elevations. We are merely adjusting the depth and width to allow for a better balcony configuration. While the reduction from 60 square feet to a minimum 52 square feet for private patios and balconies may seem unusual, this project shifts the minor loss of private space to public space. The 8 square feet per dwelling unit is being shifted to the recreational open space requirements. This request increases the recreational open space requirement to 408 s.f./d.u. Additionally, this request codifies a minimum number and types of amenities. The tradeoff is that there is more common area and a minimum number and type of amenities for tenants and guests to enjoy over the entire community. There are a variety of patios/balconies sizes ranging from 5' x 9'-5" to 6' x 14' in area.

We find that based on actual resident usage, it is preferable to put more investment into the common area amenities than in stretching the balconies a few more feet. That is what is being done here. Sometimes having too big of a patio/balcony area only promotes tenants to store unsightly items outside. This minor adjustment does not limit harm the useability of the balcony area in any significant manner. The proposed sizes will still provide sufficient area for seating and enjoyment.

Perimeter Walls and Fences

Special design attention and details have been used on the placement of the residential buildings and walls/fences located near PebbleCreek Parkway and Monte Vista Road from a street and layout perspective. To maintain an attractive streetscape, the development of this Property shall comply with the following:

- a. First floor units are encouraged to have patios with screen walls that face PebbleCreek Parkway and Monte Vista Road.
- b. Any perimeter wall or fencing constructed along the street boundaries of the Property shall be either a view fence or a combination view wall and view fence that consists of a minimum of two (2) feet of view fencing on top of a maximum of four (4) feet of Concrete Masonry Unit (CMU) or block that is equivalent in screening, except that such requirements for view fencing will not apply where block walls are used to screen trash enclosures, parking, utilities, and mechanical equipment.

- c. Ground floor projections that include patios (covered or uncovered) surrounded by walls that are four (4) feet or less in height and include pedestrian gates and paths allowing pedestrian access directly to the adjacent public sidewalk, shall be permitted to encroach into the front and street side setbacks by up to 5 feet.
- d. A view fence or a combination view wall and view fence may encroach into the PebbleCreek Parkway and Monte Vista Road Landscape Setbacks by up to 5 feet.

The above perimeter fence criteria will help create and maintain a positive visual streetscape through design. In exchange for the slight encroachment allowance for fence/walls along Monte Vista Road and PebbleCreek Parkway, this proposal will offer pedestrian access including pedestrian gates and paths allowing pedestrian access directly to the adjacent public sidewalks. This proposal also offers a minimum of two (2) pedestrian bench/seating areas, with adjacent shade tree, adjacent to the public sidewalk or trail on PebbleCreek Parkway and Monte Vista Road for a total of four so the public can enjoy the benches/seating areas while transversing Monte Vista Road and PebbleCreek Parkway.

Connectivity

An important element of this project is our connectivity from the inside to the outside. The site plan is designed to provide convenient pedestrian access points from the project to the existing public sidewalk or the new proposed trail/path on PebbleCreek Parkway and Monte Vista Road for its residents/guests to connect to and enjoy. As part of this request, the developer proposes to install a separate 8-foot-wide unpaved compacted decomposed granite (DG) trail/path along both PebbleCreek Parkway and Monte Vista Road for its residents and the general public to enjoy. The site plan will provide strategically located pedestrian connections to public sidewalks and the proposed perimeter trail/path to allow for a more walkable community. The developer will also include seating areas with shade trees along this trail/path to allow pedestrian resting spots. Internally, convenient access for pedestrians to walk from buildings to the central amenity area will be provided. These pedestrian connections through parking lots and drive aisles will be clearly marked with enhanced decorative paving such as pavers, colored concrete, or other approved material.

Amenities

The project will provide both private open space and common open space. The private space consists of balconies or patios for every unit. Common amenities are evenly distributed throughout the community and are designed to include pedestrian friendly, active, and passive open spaces. Each of the primary open spaces are interconnected via walkways for pedestrian circulation. Some additional amenities are described below.

- Minimum 10,000 square foot clubhouse/leasing office (may be located in separate buildings)
- Fitness center (may be located in clubhouse)
- Cabana
- Internally located shaded ramada with seating areas

- Pool at least 1,900 square feet in size
- Dog park
- Shaded Tot-lot
- Outdoor barbeque area
- Outdoor kitchen
- Unprogrammed open turf area (artificial or live turf)
- Outdoor game courtyard

Other amenities may be substituted for those listed above, as administratively approved by the Planning Division.

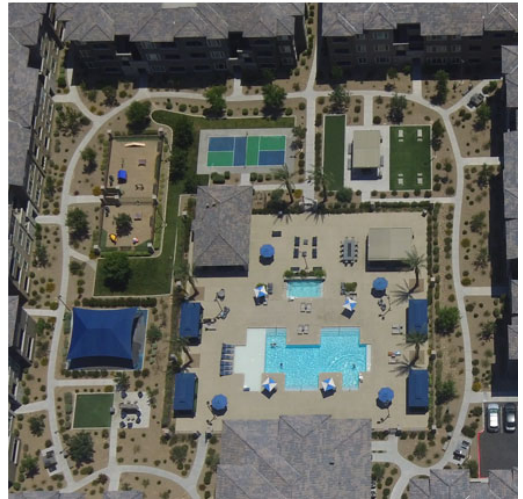
Proposed Upgrade to Existing Multi-family Site

Picerne is seeking to upgrade the housing product originally planned for this site to its “Level 25” product. We are attaching to this narrative photos of this new product type, as it has been built in other locations by Picerne. We are also including smaller versions of some of those photos in the following pages.

To be clear, what Picerne originally had proposed for this site (and approved through the site planning process) would have been a quality development. Indeed, Picerne has developed that same product on another site at the northwest corner of PebbleCreek Parkway and Indian School Road (known as The Paseo at PebbleCreek), and that community continues to be a residential community that Picerne 100% stands behind. But what Picerne is proposing for this site would be a product type that is on an elevated tier. The exterior architecture, interior finishes, and community amenities are all being proposed at the high-end, luxury level. The design is sophisticated and modern, the amenity and clubhouse areas are resort quality, and the interior unit finishes are unique and welcoming.

It's important to note that Picerne is a long-term holder of their properties. As such, pride in ownership is very important to them. Picerne has a true commitment to their renters, properties, and their communities. Picerne recognizes how important it is to develop more than just buildings to house people. As such, they pride themselves in building *communities*. The pictures on the following pages are representative examples of the Level 25 product being proposed.







Inviting Open Kitchen



In-home Washer/Dryer

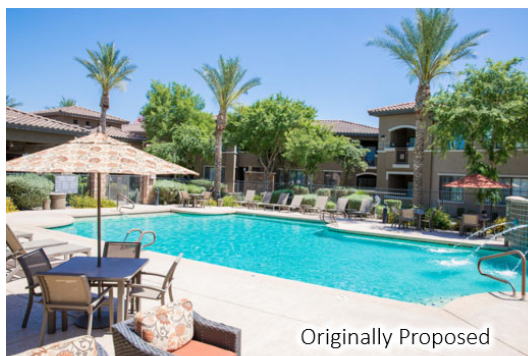
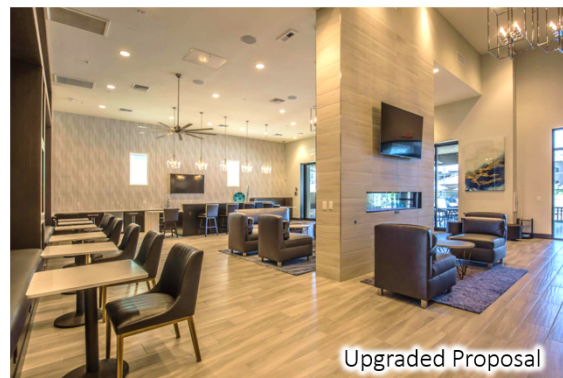


Unique Interior Architecture



Large Walk-in Closets

The following images compare the previously proposed product, which obtained site plan approval, and representative examples of the upgrade product.



As these representative photos demonstrate, this will be a high-end project. We believe that as such, it will attract higher income earners with disposable income to spend in the existing and future commercial developments in the area.

The area has changed in many ways since this Property was rezoned in 2005. The City has invested heavily in its new Civic Square and has approved a mixed-use development at Estrella Falls, known as GSQ Regional Center. The City has approved multi-family uses in the area, but many more units are needed to attract and retain top commercial users. Downtown Phoenix is a prime example of how an area can have robust housing density and still not have enough traffic to support great commercial users. The best insurance the City can have against the risk of failing to attract good users and failing to retain the ones that come, is well-placed housing density.

Thousands of units are needed if the City is going to create the type of walkable and urban environment it seeks in this area. It won't be enough to have *some* density, the City needs an ample supply of people within walking distance to make this area thrive. Developing restaurants and retail is the first challenge, providing enough density to attract and retain top tenants is the real test. Our proposal will be an important element to achieving this success.

DEVELOPMENT STANDARDS

See The Picerne at Palm Valley Development Regulations document.

CONCLUSION

This proposal would bring a high-end development to this underutilized site, while maintaining buffers on the west and north sides of the project. It would provide the type of residential density that is needed to help create an environment where private investment will thrive within the GSQ and Estrella Falls areas.

The proposed modifications under the proposed PAD are minor and promote the development of a premier community that features first-rate amenities, private open space, and sophisticated design.

The proposed request will positively impact the City's economic vitality and livability of the area. We believe this rezoning is consistent with the overall intent and goals of the City of Goodyear General Plan.