



## City of Goodyear

### Meeting Minutes

#### City Council Regular Meeting

Meeting Location:  
Goodyear Justice Center  
14455 W. Van Buren St.,  
Suite B101  
Goodyear, AZ 85338

Mayor Georgia Lord  
Vice Mayor Sheri Lauritano  
Councilmember Joanne Osborne  
Councilmember Joe Pizzillo  
Councilmember Wally Campbell  
Councilmember Bill Stipp  
Councilmember Sharolyn Hohman

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Monday, March 27, 2017

6:00 PM

Goodyear Justice Center

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(Amended Agenda 03/24/17 Item 7.6-Staff Report and Ordinance have been revised)

#### 1. CALL TO ORDER

Mayor Lord called the meeting to order at 6:04 p.m.

#### 2. PLEDGE OF ALLEGIANCE AND INVOCATION BY VICE MAYOR LAURITANO

#### 3. ROLL CALL

**Council Present** 7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Councilmember Stipp attended the Regular Meeting via teleconference through Agenda Item 7.4.

Staff Present: City Manager Brian Dalke, City Attorney Roric Massey, and City Clerk Maureen Scott

#### 4. COMMUNICATIONS

- 4.1 [CO 264-17](#) Update on details about the Goodyear Lakeside Music Fest to be held on April 8, 2017 at the Estrella Amphitheater.

Arts and Culture Coordinator Guylene Ozlanski introduced Bernadette Mills, Director for the West Valley Fine Arts Council, who is sponsoring the Goodyear Lakeside Music Fest scheduled to be held on Saturday, April 8, 2017 at the Estrella Amphitheater. Mills reviewed highlights from past events and announced the schedule of performers for this event:

VIBE Kids Pop 12-12:45

Estrella High School Band School Band 12:50-1:15

Rasta Farmers Reggae 1:20-2:05

JIMFAB Indie/Folk 2:15-2:40  
Screamin Javelinas Classic Rock 2:45-3:30  
James Reams & the Barnstormers Bluegrass 3:35-4:00  
Spooky Kool Jazz 4:05-4:50  
Sugar Thieves Blues 5:05-5:50  
Don't Tell Mom Retro Rock 5:55-6:20  
Desert Knights Country 6:25-7:20  
Moonlight Howlers Rockabilly 7:25-8:00  
Lane Change Covers 8:00-9:00

Council thanked Mills and the Goodyear Arts and Culture Commission for their efforts.

## **5. CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR**

Frank Mercy spoke about concerns regarding a petition for no parking during school days on 148th Drive and Amelia Avenue. A petition was circulated by one individual with some misinformation. He feels that many people signed the petition under misrepresentation. The petition was presented as only affecting students and not residents or their guests. The term was "Selective Enforcement". He researched this and found that it was not true. He believes that "no parking signs" will be placed this coming Wednesday. He requested that the posting of the signs be postponed until the legitimacy can be proven. City Manager Dalke explained that staff is working with the residents on this issue and there are no plans to install signs. Engineering Director Rebecca Zook explained that staff received notice from two or three of the property owners retracting their signatures on the petition. Because of that, the number of signatures dropped below 80 percent, which is the amount required to initiate the installation of signs, and there are no longer any plans to install the signs.

## **6. CONSENT**

**MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to APPROVE Consent Agenda Items 6.1 - 6.4. The motion carried by the following vote:**

**Ayes**      7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

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|------------|--|--|
| <b>6.1</b> | <a href="#"><u>MINUTES</u></a><br><a href="#"><u>21-2017</u></a> | <b><u>APPROVAL OF MINUTES</u></b><br><b>PROPOSED ACTION:</b><br>Approve draft minutes from a Special Meeting and a Regular Meeting held on February 27, 2017, and a Regular Meeting held on March 6, 2017. |
| <b>6.2</b> | <a href="#"><u>17-6016</u></a>                                   | <b><u>RECOGNIZING APRIL AS FAIR HOUSING MONTH</u></b><br><b>PROPOSED ACTION:</b><br>ADOPT RESOLUTION NO. 17-1789 PROMOTING FAIR HOUSING AND RECOGNIZING APRIL AS FAIR HOUSING MONTH.                       |
| <b>6.3</b> | <a href="#"><u>17-6018</u></a>                                   | <b><u>AMENDMENT TO INCLUDE UNDERGROUND UTILITIES TO AN EXISTING EASEMENT ASSOCIATED WITH THE ARROYO</u></b>  |

**RANCH DEVELOPMENT****PROPOSED ACTION:**

Accept the Amendment to Right of Way No. 16-94823 with the Arizona State Trust, to add underground utilities to the existing Public Road Easement associated with the Arroyo Ranch Development.

6.4 [17-5976](#)

**APPROVE THE FEBRUARY 2017 BUDGET TRANSFERS****PROPOSED ACTION:**

Approve the February 2017 budget transfers

7. **BUSINESS**

7.1 [17-6030](#)

**AMENDMENT TO THE PV303 PAD TO UPDATE DEVELOPMENT STANDARDS AND TO CHANGE THE LAND USE ON FOUR PARCELS FROM GENERAL COMMERCIAL TO LIGHT INDUSTRIAL**

Mayor Lord opened the public hearing at 6:19 p.m.

Planner III Steve Careccia presented.

**BACKGROUND:**

- PV303 PAD approved in 2005 & 2007
- Six phases
- Approximately 1,750 acres
- General Commercial & Light Industrial

**REQUEST:**

- Change land use on four parcels from General Commercial to Light Industrial
- 246 total acres (15% of approx. 1,750 acre PAD)
- Light Industrial uses include warehouse/distribution, manufacturing & office
- General Commercial uses include retail establishments, personal services, restaurants, & hotels
- Change of land use requires review by Planning & Zoning Commission and approval by City Council

**AMENDMENT AREAS:**

- 32 acres at southeast corner of Sarival Avenue & Camelback Road (East III)
- 65 acres located at northeast corner Loop 303 & Indian School Road (East II)
- 124 acres at southwest corner Loop 303 & Indian School Road (West II)
- 25 acres at southeast corner Citrus Road & Indian School Road (West III)

**PUBLIC PARTICIPATION:**

- Neighborhood meeting - February 15
- Planning & Zoning Commission meeting - February 22

- City Council - March 27
- Two postcard mailings to property owners & HOAs (neighborhood meeting and public hearings)
- Legal ad & sign posting of each amendment parcel
- Notification of Palm Valley, PebbleCreek & Sedella HOAs
- Notification of Luke AFB, ADOT, Glendale & Maricopa County

#### ADDITIONAL PUBLIC PARTICIPATION IN RESPONSE TO RESIDENTS CONCERNS:

- Resident concerns
  - Expansion of warehouse district
  - Increased traffic
  - Increased noise
- TOM Van - Saturday, March 18, 8-10 AM & Wednesday, March 22, 5-7 PM
- Sedella HOA meeting - March 20 at 6 PM
- Provide information & answer questions
- Stipulations for edge treatment & building architecture

#### ANALYSIS OF REQUEST - CONSISTENCY WITH GENERAL PLAN:

Consistent with Industrial and Business & Commerce Land Use

- Light industrial uses are considered appropriate next to commercial and residential
- No general industrial proposed in PAD consistent with Luke Compatible Land Use Overlay and continued mission of Luke AFB

#### ANALYSIS OF REQUEST - COMPATIBILITY WITH AREA:

Compatible with other commercial & industrial uses in area

Compatible with residential uses in area

- Separation & buffering
- Non-residential traffic will use Loop 303
- Indoor uses

#### Citizen Speakers:

1. Terri Candalaria - representing the Sedella Community located at the northwest corner of Indian School Road and Citrus Road. She collected petitions signed by almost 200 signatures of Sedella residents. They are requesting Council to consider a no vote for the zone change of the one small parcel (25 acres) that sits on the southeast corner of Indian School and Citrus Road. Leaving this zone commercial will provide a very important buffer between the industrial side and their residential community. It would help provide a safer intersection for school buses and commuters. It would also provide a buffer from the tractor-trailer noise and the diesel truck fumes.
2. Gabriel Candalaria doesn't feel that the zoning should be changed just so Sun Belt can better their investment. Sedella only concerned with the 25 acre lot located at the southeast corner of Indian School Road and Citrus Road. The homeowners are not in favor of having warehouses built that close to their property.
3. Cindy Linthicum asked Council to vote no on the 25 acre parcel. She was told that Camelback Road would be used as the truck route, but Camelback is not developed so they will have to use Indian School Road and Sarival. She is very concerned about the volume of truck

traffic that will be traveling within 100 feet of her back door. Asked what will be done about noise abatement.

4. Susan Becker was present to support Cindy Linthicum. She asked what Light Industrial is?

Careccia explained that Light Industrial as proposed in the PAD is warehousing, distribution, and back office manufacturing. He doesn't have details of what could be developed. Existing businesses on the west side of 303 consist of REI, Sub Zero and Dick's Sporting Goods. Those are good examples of distribution and manufacturing.

5. Candyce Duran stated that she concerned with being surrounded with more warehouses. She moved to the outskirts of Goodyear to be away from the city. She is concerned about increased traffic and truck noise in the area. They weren't told of the possibility or probability that this could be changed to industrial zoning.

6. John Malaney has a home in Palm Valley Phase V. They are now building a home in Sedella. He did not receive the postcards that were sent out in February. The pictures shown in the presentation are not a true representation of the traffic in the area. He is concerned with the air quality with the increase of diesel trucks in the area, and also the possibility of hazardous materials being stored in the future warehouses. He was under the impression that the current commercial zoning would bring in stores to the area.

7. William Gasone spoke in support of the rezone. He believes that Goodyear needs good high quality jobs. He wants more jobs so residents don't have to travel across the valley to work. He believes the best use for this area that surrounds the Luke Accident Protection Zone is light industrial. He believes a landscape berm in the buffer area would help alleviate some of the concerns with light pollution, noise pollution, and visibility issues. Successful development will bring more traffic. The roadways will eventually be expanded to handle the increase in traffic. If the traffic is directed onto Indian School Road instead of Sarival Avenue, the trucks would likely take the Indian School entrance and exit onto the 303 instead of going up to Camelback Road.

8. Sean Walters representing Sunbelt Holdings spoke. Sunbelt has been working with the city to help brand the community and bring in high quality development. He showed examples of current distribution centers that currently exist in this area (Dick's Sporting Goods, Sub-Zero, REI).

There being no further public comment, Mayor Lord closed the public hearing at 6:57 p.m.

**Council Discussion:**

**>Thinks it is important for the public to know what Sunbelt envisions for the future in this area.** Walters stated that Sunbelt envisions this to be the premier business park in the southwest. It will ultimately have up to 20 million square feet of a combination of manufacturing, back office, office product, and a retail mix. It will take some time for it to build out.

**>Asked Sunbelt to explain what potential commercial development could look like.**

Walters reported that Sunbelt also owns a number of commercial sites from SunCor that are located closer to the I-10 freeway. Tommy Woods with Colliers International spoke about marketing those properties. The retail market dwindled in 2007/2008. Retail goes hand in hand with residential. When the residential market comes back, there is a reason to build retail

development. They are talking to users right now about property along I-10 and Bullard Avenue where they hope to put together a shopping center. There is a downturn in retail across the country. The box stores have gotten smaller and the number of retailers have shrunk. It will be awhile before there will ever be the demand, population, and traffic count for restaurants and normal retail in an area like Citrus Road. He advised Council to consider quality of life. You would never want retail to build and not be able to make it. For those reasons, he doesn't see the best use of the property in question to be retail.

**>Sunbelt owns the property and has the right to seek a change of zoning that allows them to develop the property for uses that are compatible with the area.**

**>We need to look at how we are developing our city in a balanced way.**

**>We are trying to make decisions that are best for the entire community.**

**>Bringing jobs to Goodyear that keep residents from traveling to the east valley will bring additional rooftops, which will then bring more retail. One step leads to the other.**

**>Asked about developing Indian School Road.** Walters reported that Indian School Road will be developed as a major arterial, as well as Citrus Road. Sunbelt is committed to design elements and buffering that will enhance the buildings in this area. They have directional signage in place for the truck traffic. In response to the community concerns, they are proposing to enhance that truck signage so they are not straying into the communities.

**>Council will do what they can to mitigate the impacts of this decision.**

**>Would like to see the softening of this corner with setbacks, landscaping, and buffers so that it appears more office like rather than industrial.** Walters stated that one of the stipulations they have worked with city staff on is, when a building does go in at the corner of Indian School Road and Citrus, it would have appropriate elements that give it more of a human scale, oriented toward the corner, with landscape buffers that would further enhance the intersection. Being respectful of the neighbors in the community is very important to them.

**>Asked how the truck traffic will be dealt with?** Walters noted that the infrastructure for this development will get installed. Indian School Road is a major arterial, so the half street on the south side will be three lanes. When the north side gets developed, it will be the same. This is the first industrial master plan for Sunbelt Holdings. There are not a lot of them in the country. They take a lot of pride in their work and their communities. They have a signage program in this area that is directional signage that is provided for truck drivers to tell them where to go. Based on community feedback, they are proposing that they increase the signage program by adding more signs with placards that provide the most direct routes from the property to I-10 and 303. This should help keep the truck drivers from straying out into the community.

**>Buffering is very important.**

**>Important that we listen to land owners on both sides and mitigate the impacts as best we can.**

**>Would like to include stipulations that include the softening of the corridor of Indian School Road and Citrus with setbacks and landscaping that gives it an office frontage look so that it appears more like an office complex rather than industrial. Would also like to include truck traffic signage as part of the stipulations so that we know we are protecting our residents in that area.**

**>Asked staff to look into policies that may already be in place that prevent certain uses in this area.**

**>Work with developers to ensure that what faces residents is not the back of trucks.**

**>Asked if we can designate a truck route.** Police Chief Geier explained that the City Code governs truck routes. It states that the City Manager or his designee can determine which streets are to be truck routes and where trucks can be restricted or prohibited. Staff has the ability to look at the areas of concern and determine what areas need truck routes or truck signage. The Police Department can then enforce it. As these projects come online, staff can work with the developers to designate truck routes.

**>Asked if stipulations have been added to this that Council is not aware of.** Careccia stated that two additional stipulations were added on top of the Design Guidelines. The Design Guidelines cover building architecture and landscaping. The two additional stipulations resulted from feedback from residents in Sedella. That's why those two stipulations only cover the corner of Indian School Road and Citrus. They require additional landscaping with berming, and building architecture that adds human scale elements, whether that is through office or other architecture.

**>Asked if there are stipulations related to egress and ingress from the buildings.** Careccia responded no.

**>Want the public to understand that decisions like this are not taken lightly. Council respects the opinion of the homeowners.**

**>Asked if the ordinance addresses truck routes.** Careccia stated that it only addresses land use at this time. The truck routes can be worked out when the development is brought forward.

**MOTION BY Councilmember Hohman, SECONDED BY Councilmember Osborne, to ADOPT RESOLUTION NO. 17-1796 DECLARING AS A PUBLIC RECORDS THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED PV303 PLANNED AREA DEVELOPMENT DATED FEBRUARY 2017 AND THAT CERTAIN DOCUMENT TITLED PV/303 UNDERLYING ZONING DATED JANUARY 13, 2017.**

**The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Stipp, and Councilmember Hohman

**Nayes**     1 - Councilmember Campbell

**MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Pizzillo, to ADOPT ORDINANCE NO. 17-1346 AMENDING THE FINAL PLANNED AREA DEVELOPMENT (PAD) ZONING FOR THE PV303 PAD TO ADOPT THE PV303 FINAL PLANNED AREA DEVELOPMENT DATED FEBRUARY 2017 AND THE PV/303 UNDERLYING ZONING DATED JANUARY 13, 2017; TO CHANGE THE LAND USE ON FOUR PARCELS FROM C-2, GENERAL COMMERCIAL, TO I-1, LIGHT INDUSTRIAL; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR CORRECTIONS; SEVERABILITY; AN EFFECTIVE DATE; AND PENALTIES. The motion carried by the following vote:**

**Ayes**      7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

**7.2      [17-6020](#)      ZONING ORDINANCE TEXT AMENDMENT TO ALLOW INERT MATERIAL LANDFILLS AS A SPECIAL USE IN ANY ZONING DISTRICT**

Mayor Lord opened the public hearing opened at 7:47 p.m.

Planning Manager Katie Wilken presented and clarified that this public hearing is only concerned with the Zoning Ordinance Text Amendment related to inert material landfill.

Wilken explained that a "Borrow Pit" is an industry term and is an area of land that was purchased so that dirt can be removed to be used for construction projects.

The only two known existing borrow pits are located at Roosevelt & 158th, and Cotton Land and I-10 by the old Trotter Track. Both of these were created in the construction of I-10. More could exist in the future because planned roadways could mean more. One of the ways to reclaim the borrow pits is to refill it with inert material. Inert material is non-biodegradable. Inert refill is accepted when there is construction nearby. It can be dirt, concrete, sand and other materials that are regulated by the state.

Staff is proposing allowing this type of use in any zoning district through a special use permit.

#### Why a Special Use Permit?

- Keeps underlying zoning
- Purpose is to create regulations specific to a use and site
- Public approval process
- Can be time limited

#### Special Use Permit Criteria

- [The inert material landfill] will be desirable or necessary to the public convenience or welfare; and,
- [The inert material landfill] will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites;
- [The inert material landfill] is in conformance with the adopted General Plan and any adopted Area Plans; and,
- [The inert material landfill] will not be detrimental to surrounding properties or persons.

There being no public contact, Mayor Lord closed the public hearing at 7:53 p.m.

#### Council Discussion:

**>What happens if this is not approved?** Wilken stated that the Zoning Ordinance currently does not approve this use at all. Council could direct staff to handle it a different way, perhaps through rezoning or a special use permit, or not permit it anywhere.

**>It seems like this will invite this type of land use in a residential area. What assurances are there to protect us?** Wilken stated that one assurance that was written into the Zoning Ordinance text amendment is that they specifically called it out as a "public project" borrow pit. This would limit the activity and location of where it could happen.

**>Asked whether the Arizona Department of Transportation (ADOT) needs to seek our approval for a borrow pit.** Wilken stated that we don't approve the creation of a borrow pit when ADOT is doing a construction project. This only gives the community and the landowner the ability to fill in the borrow pit so that the property can then be developed rather than



remaining a pit that doesn't contribute to the community and can become an attractive nuisance to the community. Development Services Director Christopher Baker stated that this just addresses the filling of existing pits and does not create a mechanism to propose new ones.

**>How long have the existing borrow pits been there?** Wilken stated they have been there since I-10 was created. City Manager Dalke added they were created in the 1980's.

**>How long will it take to fill them up?** Wilken replied it will take about five years.

**>Would it be regulated to make sure that concrete isn't sticking up outside the dirt?**

Engineering Director Rebecca Zook responded that this has already happened with illegal dumping. If this is approved, someone will need to go in and break up the larger pieces so that it can be compacted appropriately.

**MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to ADOPT ORDINANCE 17-1342 AMENDING ARTICLE 2 (DEFINITIONS) AND ARTICLE 4-1-2 (SPECIAL USES) OF THE ZONING ORDINANCE, AS AMENDED, TO ADD INERT MATERIAL LANDFILL AS A USE THAT MAY BE CONSIDERED THROUGH A SPECIAL USE PERMIT AND CREATE DEFINITIONS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. The motion carried by the following vote:**

**Ayes**      7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

### 7.3      [17-6022](#)                      **CITY CENTER GATEWAY OVERLAY DISTRICT**

Mayor Lord opened the public hearing at 8:07 p.m.

Planner II Alex Lestinsky presented.

- Amend the city of Goodyear Zoning Ordinance:
  - Amend Article 1
- Remove reference to Section 9-2
- Amend Article 9
- Remove Section 9-2 in its entirety

City Center Gateway Overlay District (CCGOD) is a Special District as defined by Article 9. Special Districts are areas that require special regulations and approval processes in addition to underlying zoning district requirements. Goodyear only has two Special Districts, which are the City Center Gateway Overlay District and the Freeway Development Overlay District.

Purpose of CCGOD

- Adopted in 2003 - with Streetscape Plan
- Intent = impose enhanced development standards for the district
- Connect Planned Regional Center to City Center
- Serve as primary gateway into the central part of Goodyear

The text amendment would eliminate the City Center Gateway Overlay District, which imposed enhanced development standards for the property located entirely or partially within

660 feet east and west of the centerline of Estrella Parkway, with the centerline of McDowell Road forming the northern boundary and the northernmost centerline of Goodyear Boulevard forming the southern boundary.

Current Status:

- Adding lengthy timelines to process
- New City Design Guidelines
- Sign Ordinance Update
- Goodyear Ballpark
- Estrella Parkway widened

What won't change:

- Streetscape Plan Manual
- City Center
- Current zoning of all properties
- Ballpark
- Neighborhoods

Overview

- Public feedback update
- Citizen Review Meeting
- Planning Commission Recommended Approval 3/22/2017
- Received one opposition

Staff recommends deleting all operative sections of the CCGOD with the exception of the City Center Streetscape Plan Manual. This action will encourage development and simplify the process for development along Estrella Parkway without affecting the quality of development.

There being no public comment, Mayor Lord closed the public hearing at 8:18 p.m.

**Council Discussion:**

>Asked what the one objection was from the public. Lestinsky replied that it was from a property representative who had worked on the overlay requirements with the city. He felt that the removal of the District may lower the quality of the development in the area.

>Wants to ensure that the corners will not lose the architectural design that was in the original vision.

**MOTION BY Councilmember Hohman, SECONDED BY Vice Mayor Lauritano, to ADOPT ORDINANCE NO. 17-1344 DELETING ARTICLE 9.2 OF THE GOODYEAR ZONING ORDINANCE ELIMINATING THE CITY CENTER GATEWAY OVERLAY DISTRICT AND AMENDING ARTICLE 1-5-1 TO REPLACE REFERENCE IN ARTICLE 1-5-1 FROM ARTICLE 9 TO ARTICLE 1-5-2B; PROVIDE FOR SEVERABILITY AND PROVIDE FOR AN EFFECTIVE DATE. The motion carried by the following vote:**

**Ayes**      7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

**7.4      [17-6011](#)      AMENDMENT TO THE LA JOLLA VISTA PAD STIPULATION NO. 35**

Mayor Lord opened the public hearing at 8:28 p.m.

Long Range Planner Joe Schmitz presented. La Jolla Vista is located at the northeast corner of Citrus Road and Lower Buckeye Road.

At the December 19, 2016 Council meeting, the City Council approved a motion to direct staff to initiate the rezoning process and an amendment to the development agreement for the La Jolla Vista PAD to delete Stipulation No. 35 requiring a pedestrian connection between Sweetwater Estates and the La Jolla Vista development, but preserving the sidewalk between the east-west street south of Durango Street and Watkins Avenue, without slowing down the developer or having the developer incur any additional costs.

A citizen review meeting was held on January 31, 2017. The meeting was attended by a dozen persons, most of whom were residents of the Sweetwater Estates development. An attorney representing the developer of La Jolla Vista was also in attendance. City staff reviewed the issues regarding access to Durango Street and the process that must be followed to change a zoning stipulation. Staff also acknowledged that further research revealed that the development plans for La Jolla Vista had been prepared to provide three pedestrian access points to Durango Street which would more than satisfy the requirement of Stipulation No. 35 to provide at least one. The location of these three pedestrian access points were as follows:

1. One was planned at the north end of the cul-de-sac for 178th Lane about mid-way between Citrus Road and 178th Avenue;
2. A second was planned directly across from 177th Avenue; and,
3. A third was planned at the north end of the cul-de-sac for 175th Drive which was almost directly across from 175th Avenue. This third location also was designed to provide limited, gated access for vehicles so that Roosevelt Irrigation District (RID) maintenance personnel would have convenient access to an irrigation water transmission line that will be installed from Durango Street to 175th Drive and then south in that street through La Jolla Vista to Lower Buckeye Road. This gated access also may be used by emergency personnel as a second access route to the La Jolla Vista development, especially if the construction of that project is phased and a second means of access is not otherwise provided.

It was also pointed out to the neighbors that the RID would also have limited, gated access to its well facility that is located on the south side of Durango Street between 175th and 176th Avenues.

The residents initially expressed some concerns over the additional pedestrian access points that had been planned and the limited vehicular access for RID and emergency personnel, but

after some discussion, they generally had no objection to the limited vehicular access for RID and emergency personnel. They emphasized that they would like to see no pedestrian access of any kind to Durango Street, but they would accept limited vehicular access for RID and emergency personnel. They also had no objection to the RID having access to its well site. They expressed concerns regarding lack of maintenance of the wall around the Cottonflower development. They asked who would maintain the perimeter wall and staff indicated that it would be the responsibility of the La Jolla Vista Homeowners Association. In response to a question regarding the timing of the construction of the perimeter wall, it was noted that the wall would probably be built in phases when the adjacent residential parcel within the La Jolla Vista project was developed.

Goodyear resident Ken Bradley thanked staff for all the work they have done. He filled out a speaker card to speak, but he spoke to Joe Schmitz earlier in the evening and his questions have been answered.

There being no further public comment, Mayor Lord closed the public hearing at 8:35 p.m.

**MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Hohman, to ADOPT ORDINANCE NO. 17-1340 AMENDING THE FINAL PLANNED AREA DEVELOPMENT (PAD) ZONING FOR LA JOLLA VISTA COMPRISED OF APPROXIMATELY 198.5 ACRES LOCATED AT THE NORTHEAST CORNER OF CITRUS AND LOWER BUCKEYE ROADS TO MODIFY STIPULATION NO. 35 OF ORDINANCE NO. 2005-971 TO ELIMINATE THE REQUIREMENT TO PROVIDE PEDESTRIAN ACCESS BETWEEN LA JOLLA VISTA AND THE ADJACENT SWEETWATER ESTATES SUBDIVISION; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:**

**Ayes**      7 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Mayor Lord recessed the Regular Meeting at 8:37 p.m.

Mayor Lord reconvened the Regular Meeting at 8:51 p.m.

Councilmember Still was no longer attending the meeting via teleconference.

**7.5      [17-6021](#)      **ZONING ORDINANCE TEXT AMENDMENT TO CREATE AN EXPIRATION FOR LAND USE AND DEVELOPMENT APPLICATIONS****

Mayor Lord opened the public hearing at 8:51 p.m.

Planning Manager Katie Wilken presented. There has been a lot of interest in restarting inactive projects. Development Services is receiving questions from customers regarding the status of old cases and they need clarity because there is nothing in the Zoning Ordinance that specifically states if there is an expiration on certain applications. She reviewed the current

state of the planning application process.

- In two months, five projects have restarted inactive cases
- Preliminary Plat:
  - Typical 1st Review - 20 staff hours
  - Typical 2nd Review - 10 staff hours
- About 70 cases waiting to return to Planning
  - About 20 have been waiting over 100 days
  - Typical turnaround is 20 days
- Typically have 5-8 Work in Progress (WIP)

Staff is proposing:

- Applications expire after six months without a re-submittal.
- After five months of inactivity, staff will send a reminder that the application will expire in 30 days.
- Applicant has three options:
  - Submit the plans
  - Request an extension
  - Allow the application to expire

There being no public comment, Mayor Lord closed the public hearing at 8:58 p.m.

Council Discussion:

>**We don't want this to create more work for staff.**

>**Would like to see a termination date so that we don't get numerous requests for extensions.** Wilken reported that staff contacted other cities. Baker thinks that six months with a 30-day extension is not recommended because it is too short of a window. He suggested six months with one six month extension.

>**Would like to consider a limited number of three-month extensions instead of unlimited extensions.** Baker responded that we could. They are trying to provide some flexibility to the development community. He proposed leaving the language as it is proposed, and if it becomes a problem staff could bring an amendment forward.

>**Are the extensions administrative or do they have to come before Council?** Wilken explained that they are administrative.

>**Asked what the other cities are doing.** Wilken stated that Avondale, Chandler, Gilbert, Glendale, and Scottsdale do a six month expiration. Peoria has a twelve month expiration. She doesn't have information on the number of extensions that are allowed.

**MAIN MOTION:**

**MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Osborne, to ADOPT ORDINANCE 17-1343 AMENDING ARTICLE 1-3-10 (ADMINISTRATION) OF THE ZONING ORDINANCE, AS AMENDED, TO ESTABLISH AN EXPIRATION DATE FOR INACTIVE LAND USE AND DEVELOPMENT APPLICATIONS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. The motion carried by the following vote:**

**Ayes** 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent** 1 - Councilmember Stipp

**AMENDMENT TO MAIN MOTION:**

**MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Campbell, to AMEND Section 1-3-10 "Application and Fees" Section A.4: The zoning administrator may authorize in writing no more than one 180-day extension for good cause. The motion carried by the following vote:**

**Ayes** 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent** 1 - Councilmember Stipp

**7.6 [17-6023](#) PAD AMENDMENT TO MAKE MINOR MODIFICATIONS TO A PORTION OF THE GOODYEAR CROSSING INDUSTRIAL PARK FINAL PAD OVERLAY**

Mayor Lord opened the public hearing at 9:10 p.m.

Planner III Karen Craver presented. Goodyear Crossing Industrial Park is located between Cotton Lane on the west and Sarival Avenue on the east, and Elwood Street on the north and MC-85 on the south. Opus Development Company recently purchase 95 acres on the southeast corner of Cotton Lane and Commerce Drive.

Opus is requesting to amend the following PAD development standards:

- Prohibition of loading areas, loading docks, & truck trailer parking facing Cotton Lane
- The 50-foot maximum allowed building height

Proposed amendment would allow:

- Loading areas, loading docks, & truck trailer parking allowed to face Cotton Lane for rail-served industrial park development only
- Silos, tanks & similar structures allowed up to a height of 65 feet, except any building fronting on Commerce Drive

Screening proposed by Opus on Cotton Lane:

- 2 rows of 24-in box trees
- 6-ft wall on a 2-ft berm or an 8-ft wall
- Trailers parked 50 ft from property line
- Truck bay doors 300 ft from Cotton Lane curb

Recommended Screening by staff:

Additional Screening:

- 6-ft wall on a 2-ft berm or an 8-ft wall
- Trailers parked 50 ft from property line
- Truck bay doors set back 300 ft from Cotton Lane curb

Modification:

- 1 row of 24-in box trees, supplemented by a 2nd row of 36-in box trees.

Staff, and the Planning & Zoning Commission, are recommending approval of the Amendment.

- Subject to the three stipulations in Ordinance 17-1345.
- Screening modification as reflected in Stipulation No. 3
- Increase in height of silos & tanks allowed, except for buildings fronting Commerce Drive

Ed Bull, attorney for the applicant spoke in favor of the proposal.

There being no further public comment, Mayor Lord closed the public hearing at 9:15 p.m.

**MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Hohman, to ADOPT RESOLUTION 17-1795 A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED THE "AMENDED GOODYEAR CROSSING INDUSTRIAL PARK FINAL PAD OVERLAY DATED MARCH 22, 2017." The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

**MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Lauritano, to ADOPT ORDINANCE NO. 17-1345 AMENDING THE GOODYEAR CROSSING INDUSTRIAL PARK FINAL PAD OVERLAY TO ALLOW ROLL-UP DOCK DOORS TO FACE SOUTH COTTON LANE, FOR A RAIL-SERVED INDUSTRIAL BUILDING ONLY, AND TO ALLOW ANCILLARY UNOCCUPIED SILOS AND TANKS TO EXCEED THE MAXIMUM BUILDING HEIGHT UP TO 65 FEET, EXCEPT FOR BUILDINGS THAT FRONT ON WEST COMMERCE DRIVE, ON APPROXIMATELY 95.6 ACRES LOCATED AT THE SOUTHEAST CORNER OF SOUTH COTTON LANE AND WEST COMMERCE DRIVE; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES. The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

7.7

[17-6036](#)

**WEST GOODYEAR SEWER AND WATER INFRASTRUCTURE DEVELOPMENT AGREEMENT**

Engineering Director Rebecca Zook presented the West Goodyear Infrastructure Development Agreement.

In early 2005, owners of sixteen properties located in the West Goodyear Central Planning Area, which encompasses 3,364 acres and over 8000 residential units to be located west of Citrus Road and south of Van Buren Street. At the time, the area was not being served by city wastewater or water and there were no plans on the part of the city to provide the infrastructure needed to serve this area.

Over the last ten years, a number of council actions involving the adjustment, renegotiation and extensions of the associated development agreements and a Cost Recovery Ordinance for the West Goodyear (WG) area were considered and subsequently approved by the Mayor and Council. The goal of the efforts by both the owners and the city was to stimulate development in the area.

In early January 2017, staff learned that five of the WG property owners (Amber Meadows, Paseo Ridge I & II, Las Ventanas, Pradera and La Jolla Vista) had joined together and agreed to participate in funding key regional water and sewer trunk line extensions in West Goodyear. The cost of the lines is nearly \$3 Million, however, and as a result of the partnership of the owners, they have effectively spread out the financial burden of building the infrastructure between the five property owners. The proposed West Goodyear Sewer and Water Infrastructure Development Agreement represents the culmination of the framework for the installation of approximately 3.5 miles of water and sewer trunk lines to serve close to 1800 single family residential units.

City Benefits:

A) Construction Timing Guarantee:

The West Goodyear Development Group (WGDG) guarantees the water and sewer construction will commence no later than 90 days following the date of execution following approval by Council. The execution date is anticipated to be within ten days of the Council meeting. If the construction does not begin as defined by the agreement, the agreement will automatically expire.

B) Well Site Donation:

City will receive at up to five well sites (approximate size 100' x 100') one from each of the participating properties. The city of Goodyear Public Works Department recently completed a Well Siting Study authored by Brown & Caldwell Engineering firm. The agreement has captured that the city has requested the sites be located within areas that are adjacent to city right-of-way for easy access and not be adjacent to residential lots.

C) Public Infrastructure

City to receive 3.5 miles of Public Water and Sewer lines with no capital investment. The impact of those lines is negligible. Other than some periodic cursory inspections, the expected level of maintenance will be none. Included in the agreement will be measures that assure the integrity of the lines and its appurtenances at the time they are re-commissioned.

D) Updated Engineering Standards

If city standards change during the ten-year vesting period, construction documents will be required to be updated and applicable fees for the processing and review of said construction plans will be assessed and paid by the WGDG.



**WGDG Requests:**

- 1) Ten-year vesting of final plats: This would pertain to the plats associated with the five property owners that are part of the venture. It should be noted that when a developer commences construction on requirements associated with a development (whether on-site or offsite) their final plat becomes vested with no expiration.
- 2) Consolidated Plan Approval: To accomplish this construction venture, certain plans will be separated and combined to create the construction plans for the 3.5 miles of lines. Existing plans have all been approved and city fees have been paid. Over the past 2.5 years, the WGDG has paid a total of \$1,025,000 to gain approval of construction plans for the development of the parcels that are part of the referenced agreement. During 2016, \$148,000 was expended to gain approval or re-approval of certain aspects of the engineering plans and \$110,000 was spent for the recent-rezoning of parcels 4 and 6 within La Jolla Vista.
- 3) Escrow Account: The WGDG is asking for the authority to utilize an escrow account as the form of financial assurance for the construction of the public infrastructure.
- 4) Plan Approval: construction plans for the affected developments be approved for two years versus one year, and requesting two one-year extensions.
- 5) Assistance with RID and MCESD: City to assist with reasonable efforts to coordinate with the Roosevelt Irrigation District and the Maricopa County Environmental Services Department to gain final approval of the Consolidated Water and Sewer construction documents. The five West Goodyear properties participating in this agreement are projected to produce \$4,258,922.00 of discretionary revenue to the city over the next six years and a total of \$9,503,379.00 to buildout - with sales and property tax revenues continuing permanently.

Steven Earl spoke representing the five property owners. Phil Miller is the mastermind behind this project. Earl thanked staff for their help in bringing this concept to a final development agreement. The property owners are fully committed to this and understand that if they don't put up the money in sixty days and they don't begin construction of the infrastructure within ninety days, we will be back at square one.

**Council Discussion:**

**>Thanked Mr. Earl for working with our staff and for being so diligent with this.**

**>Asked if there is any scenario where this could cost the city some money?** Zook responded no.

**>Who will be overseeing the timeline?** Zook responded that Engineering will monitor it. They have sixty days for the escrow and then thirty days for "construction staking" to begin.

**>What if they don't start building for a long period of time?** Zook responded that we have set this up so the infrastructure is installed, but not connected to. When one of the parcels is developed, it will be put into use and connected to it. At that point, it is required that the developer test the line and ensure that it functions properly. There will be a one-year operational warranty after that if it is beyond the initial two-year warranty period.

**MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to ADOPT RESOLUTION NO. 17-1792 APPROVING A DEVELOPMENT AGREEMENT FOR WEST GOODYEAR SEWER AND WATER INFRASTRUCTURE, PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

**7.8      [17-6024](#)                      PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.A1**

Planner II Alex Lestinsky presented Agenda Item 7.8 through 7.13 together.

In June 2016, Council approved the Lucero PAD amendment which is located at the entrance of Estrella. They are requesting the approval of six parcels tonight. Hillside drive will connect all the parcels together and they will all have access to Estrella Parkway as well.

**MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Pizzillo to APPROVE a preliminary plat for Estrella Parcel 11.A1, subject to stipulations. The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

**7.9      [17-6025](#)                      PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.A2**

**MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to APPROVE a preliminary plat for Estrella Parcel 11.A2, subject to stipulations. The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

**7.10     [17-6026](#)                      PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.B**

**MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Campbell, to APPROVE a preliminary plat for Estrella Parcel 11.B, subject to stipulations. The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

**7.11     [17-6027](#)                      PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.C**

**MOTION BY Councilmember Hohman, SECONDED BY Vice Mayor Lauritano, to APPROVE a preliminary plat for Estrella Parcel 11.C, subject to stipulations. The motion carried by the following vote:**

**Ayes** 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent** 1 - Councilmember Stipp

**7.12**     [17-6028](#)                    **PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.F2**

**MOTION BY Councilmember Hohman, SECONDED BY Councilmember Campbell, to APPROVE a preliminary plat for Estrella Parcel 11.F2, subject to stipulations. The motion carried by the following vote:**

**Ayes** 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent** 1 - Councilmember Stipp

**7.13**     [17-6029](#)                    **PRELIMINARY PLAT FOR ESTRELLA PARCEL 11.G**

**MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Lauritano, to APPROVE a preliminary plat for Estrella Parcel 11.G, subject to stipulations. The motion carried by the following vote:**

**Ayes** 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent** 1 - Councilmember Stipp

**7.14**     [17-5973](#)                    **RESOLUTION TO ADOPT THE RESULTS OF THE PRIMARY ELECTION HELD ON MARCH 14, 2017**

City Clerk Maureen Scott presented the Canvass of Election with the results of the March 14, 2017 Primary Election. By Arizona State Statute, the results have to be canvassed within twenty days of the election. Election results were that Mayor Lord, Councilmember Pizzillo, and Councilmember Campbell received a majority of votes cast and were re-elected. One seat is still vacant, so there will be a General (run-off) Election on May 16, 2017 between Sara Gilligan and Brannon Hampton. Voter participation was 29.05 percent, which is the highest it has been since we started all-mail elections. We had 12,562 citizens that voted. The budgeted expense will exceed the budgeted amount, due to the increase in registered voters at the Presidential Election in November 2016. Ballots for the General Election will be mailed to all registered voters on April 19, 2017, and City Hall will be an early voting site.

**Council Discussion:**

**>Questions have come up about how we count our votes and why we include under votes.**

**Asked for an explanation of the history behind that.** Scott explained that the way we count our votes is set out in the City Charter. Because of that we count all votes including under votes and over votes to get our total amount. If Council wants to change the way the votes are counted, the City Charter will need to be changed to include more specific language.

**>Mayor Lord suggested that we include an article in the InFocus Magazine that explains our process of counting votes.**

**MOTION BY Vice Mayor Lauritano, SECONDED BY Councilmember Hohman, to**

**ADOPT RESOLUTION 17-1779 DECLARING AND ADOPTING THE RESULTS OF THE PRIMARY ELECTION HELD ON MARCH 14, 2017, AND ORDERING THE RECORDATION OF SUCH RESOLUTION. The motion carried by the following vote:**

**Ayes**      6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Osborne, Councilmember Pizzillo, Councilmember Campbell, and Councilmember Hohman

**Absent**    1 - Councilmember Stipp

**8. INFORMATION ITEMS**

**1. Comments, Commendations, Report on Current Events and Presentations by Mayor, Council Members, staff or members of the public.**

Council attended or reported on the following:

None.

**2. Manager's Summary of Current Events and Reports**

The Manager may provide a brief summary of current events; however, there can be discussion only on the following matters:

1. Manager's Update on Council Related Matters:

None.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

None.

4. Council members may direct inquiries to staff:

Councilmember Campbell provided the City Manager with information she obtained from the National League of Cities regarding a \$40 million grant for water that we may be eligible to apply for. She thinks we have a good chance of winning it. Dalke will check into it.

5. Future Agenda Items:

None.

**9. FUTURE MEETINGS**

**10. ADJOURNMENT**

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 9:43 p.m.

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Maureen Scott, City Clerk

Georgia Lord, Mayor

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

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the City of Goodyear, Arizona, held on March 27, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this \_\_\_\_ day of April, 2017.

\_\_\_\_\_  
Maureen Scott, City Clerk

SEAL: