

052428-12-1-1--  
sarabiam

When recorded mail to:

City of Goodyear  
City Clerk's Office  
190 N. Litchfield Road  
Goodyear AZ 85338

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**Resolution 05-942**

**DO NOT REMOVE**

**This is part of the official document**

ORDINANCE NO. 05-942

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA PROVIDING FOR CONDITIONAL REZONING AND A MAJOR AMENDMENT TO THE PLANNED AREA DEVELOPMENT (PAD) DISTRICT ZONING FOR THE CANYON TRAILS PLANNED DEVELOPMENT TO CHANGE THE LAND USE DESIGNATION FOR APPROXIMATELY 72 ACRES OF A 91 ACRE PARCEL LOCATED AT THE NORTHEAST CORNER OF YUMA ROAD AND COTTON LANE FROM RESIDENTIAL PLANNED AREA DEVELOPMENT TO COMMERCIAL PLANNED AREA DEVELOPMENT AND TO ESTABLISH CERTAIN DESIGN GUIDELINES WITH RESPECT TO BUILDING HEIGHT, LIGHTING, PARKING AND SIGN REQUIREMENTS, AMENDING SUPPLEMENTARY ZONING MAP NO. 04-203 TO PROVIDE FOR THE CHANGE IN ZONING; PROVIDING SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Goodyear Planning Commission held public hearings on Zoning Case Z-17-04 on April 20, 2005 and May 4, 2005, in the manner prescribed by law, for the purpose of considering a Major Amendment to the Planned Area Development (PAD) for the Canyon Trails Planned Development to rezone 72 acres of a parcel of land containing approximately 91 acres, generally located at the northeast corner of Yuma Road and Cotton Lane from the Residential Planned Area Development (PAD) District to the Commercial Planned Area Development (PAD) District;

WHEREAS, due and proper notice of such public hearings before the City of Goodyear Planning Commission was given in the time, form, substance and manner provided by law including publication of such notice in THE WEST VALLEY VIEW on April 5, 2005 and,

WHEREAS, the City of Goodyear Planning Commission has recommended to the Mayor and Council of the City of Goodyear, Arizona that it conditionally rezone the property as aforesaid; and,

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona desire to accept the recommendation of the Planning Commission, and conditionally rezone 72 acres of the 91 acre parcel from the Residential Planned Area Development (PAD) District to the Commercial Planned Area Development (PAD) District so that the entire 91 acre parcel is zoned Commercial Planned Area Development (PAD) District for development of the Canyon Trails Towne Center regional commercial center.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Goodyear, Arizona that:

SECTION I. Rezoning. A parcel of land containing a total of approximately 91 acres, 72 acres of which is currently zoned Residential Planned Area Development District, as described in Exhibit A and attached hereto, is hereby conditionally rezoned from the Residential Planned Area Development (PAD) District to the Commercial Planned Area Development (PAD) District.

SECTION II. Conditions. The rezoning of the approximately 91 acres herein provided for is subject to the following conditions:

1. All future development within the center shall comply with the Canyon Trails Planned Area Development (PAD), General Commercial (C-2) Zoning District criteria, the City of Goodyear Engineering Design Standards for public works construction, the Maricopa Association of Governments standards for public works construction, and all other relevant codes and ordinances;
2. All future development within the center shall substantially conform with the Design Guidelines for the Canyon Trails Towne Center, dated February 2005, except as modified herein;
3. The Owner or Developer shall dedicate all necessary rights-of-way and utility easements in form and substance acceptable to the City Engineer, or his designee, with the site plan or final plat (whichever occurs first), or when requested by the City Engineer;
4. The Developer shall improve the north half of Yuma Road as a Scenic Arterial per Detail G-3120. The full median is to be constructed along with a minimum pavement width of 16 feet south of the median;
5. Driveway locations, median openings, and curb cuts are not approved as part of this submittal and will be determined during the site plan review process;
6. The Developer shall be responsible for a proportionate share of the costs for any warranted traffic signals adjacent to the project. The Developer shall either construct these signals when warranted or pay to the City the proportionate share of the costs to install the required signals when requested by the City Engineer, or his designee;
7. All utilities within and adjacent to the subdivision, including cable television, shall be placed underground (with the exception of 69 kV or larger electric lines) at no cost to the City as each phase is developed prior to the issuance of the first Certificate of Occupancy in such phase,
8. The developer shall control dust as required by the State, City, and the County Bureau of Air Pollution on temporary access ways during construction;
9. The subject property shall be kept weed and debris free;
10. The developer shall submit a current Phase I Environmental Survey designating the City of Goodyear as a named party to whom such survey is delivered and to whom such certification is made, together with any additional environmental surveys which the city deems necessary dependent on the contents of the Phase I survey. Such survey shall cover publicly dedicated rights-of-way, easements, or other parcels of land dedicated to the public and shall be submitted prior to the dedication of any right-of-way. Any environmental conditions identified by the Phase I Environmental Site Assessment shall be addressed and remediated to the satisfaction of the City Engineer, or his designees prior to the recording of any final plat or map of dedication for the property;

11. If subdivided, a Property Owners Association shall be formed that shall be responsible for the ownership and maintenance of all tracts within the project unless accepted for public use by the City, and a corresponding note shall be provided on any final plat and in the CC&Rs. The association shall also enforce any land use covenants and ensure that a mechanism for funding is created so that landscaping in the center and along rights-of-way is properly maintained;
12. All improvements, including but not limited to curb, gutter, sidewalks, street lighting, and landscaping, made on all arterial, collector and local streets abutting the subject property shall comply with the City's Engineering Design Standards. The developer or successor shall warranty all public and private improvements constructed by the developer or successors within the City of Goodyear rights-of-way, tracts, and easements for a period of not less than two (2) years from the date of acceptance by the City Engineer, or his designee;
13. All improvement plans, including civil and landscape plans, shall be reviewed and approved by the City Engineer, or his designee;
14. The parking lot serving Anchor 1 and Majors A – C shall be designed as a series of connected smaller lots (50-75 parking spaces) utilizing raised landscaped strips at least 10 feet in width with sidewalks and islands at least five feet in width to create a safe and landscaped pedestrian circulation system, in compliance with the parking lot standards specified in the City of Goodyear Design Guidelines and the Large Retail User Ordinance;
15. This commercial development shall have a minimum of fifteen (15) percent of the net site/lot area in landscaping, which shall be demonstrated during site plan review;
16. Convenience uses, as defined in Article 4 of the Zoning Ordinance, must obtain a Use Permit to be reviewed and recommended by the Planning and Zoning Commission and approved by the City Council;
17. All future commercial development with the center shall be subject to Site Plan review and approval by the City of Goodyear, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, infrastructure, parking, access, and circulation;
18. The Developer shall cause the installation of Temporary Property Sales Signs – Commercial Retail, as designated in the Canyon Trails Master Sign Plan, announcing the occurrence of the future commercial development;
19. One or more, not to exceed three, freeway pylons shall be approved as part of the comprehensive sign plan submitted with the Design Guidelines for the Canyon Trails Towne Center, dated February 2005. The Developer shall not erect any freeway pylon(s) until such time that ADOT has acquired the right-of-way for the Loop 303 freeway adjacent to the center. Prior to erecting a freeway pylon(s), the Developer shall submit an amendment to the sign plan. Such amendment shall

contain design specifications for the freeway pylon(s) consistent with the design standards in effect when such submission is made. The submission shall be submitted to the Planning and Zoning Commission and then to the City Council for their review and discretionary approval concerning the number of freeway pylon(s) to be approved and the proposed freeway pylon(s) compliance with prevailing design standards;

20. The number of multi-tenant monument signs shall be limited to three monuments along Yuma Road and three monuments along Cotton Lane;
21. No advertising or marketing signs shall be permitted on any building elevation that faces an existing or proposed residential dwelling;
22. The language regarding General Requirements Building Signage – III. Design Requirements A. Sign Area 1., contained on Page 46 of the Comprehensive Sign Plan Package of the Design Guidelines dated February, 2005 shall be revised to provide that the maximum aggregate sign area per building elevation for any single tenant shall not exceed six hundred fifty (650 SF) square feet. Aggregate sign area shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the tenant. Multiple sign elements shall be permitted. Any shop tenant and/or freestanding pad tenant with a storefront and/or elevation of less than thirty-three (33) feet shall be permitted a minimum sign area of fifty (50) square feet per storefront and/or elevation upon which signage is placed;
23. The Developer shall minimize the amount of noise trespass into abutting residential neighborhoods. Building orientations, screen walls, and/or other noise mitigation technologies shall be incorporated so that noise emitted from compressors, compactors, or truck engine/refrigeration units does not exceed 57 decibels measured at the east property line. The costs for any sound studies required to ensure compliance with this stipulation shall be the responsibility of the Developer and/or commercial property owner;
24. Refuse collection shall be limited to the hours of 6 AM to 10 PM;
25. Deliveries of non-perishable goods to Anchor 1, Majors A – F, and Shops A shall not occur between the hours of 10 PM and 6 AM;
26. All mass graded pads not slated for development within 18 months of grading shall be temporarily finished with a topping of decomposed granite (two-inch minimum depth);
27. Any pads involved with the retail sale of gasoline shall be required to provide for an oil/sand separator, or acceptable equivalent as determined by the City Engineer, or his designee, prior to draining into any retention basin;
28. The overnight parking of recreational vehicles and semi-tractor trailer trucks shall be prohibited anywhere within the center;

29. The display and sale of vehicles by the general public shall be prohibited anywhere within the center;
30. All areas used or designated for bale and palette storage, portable storage containers, and general loading and unloading shall be screened with 10-foot high decorative block walls;
31. The use of portable storage containers shall adhere to the provisions set forth in Ordinance No. 04-918;
32. The maintained average horizontal illuminance at grade for the parking lot shall not exceed 4.0 footcandles;
33. All lighting plans shall include all proposed building/wall-mounted lighting, and they shall conform to the IESNA definitions of “cutoff” or “full-cutoff”;
34. All wall-mounted fixtures that face residential properties shall be specified with house-side shields in order to reduce the illuminance “hot spots” on the building facades;
35. All wall-mounted fixtures that face residential properties shall either be specified with high-pressure sodium light sources, or be turned off by an automatic control device by no later than 10:00 PM. The final CDs submittal shall include a manufacturer and model number for this automatic control device;
36. The applicant shall provide “spill light” calculations along the north and east property lines. These calculations should be based upon “initial” vertical FC (light loss factor of  $\geq 0.95$ ), at 6-feet above grade, with the computer’s “light meter” aimed at 90-degrees above nadir and perpendicular into the site. These calculations should include all outdoor lighting fixtures. No point on these calculation grids may exceed 0.80 footcandles;
37. The maximum height of the pole lights shall not exceed 30.0 feet above the finished grade of the parking lot. The applicant shall provide a pole Detail that demonstrates compliance with this limitation, and shall include the mounting height(s) in the Fixture Schedule;
38. As per the Canyon Trails Design Guidelines, all lighting within 150-feet of a residential property line or open space corridor shall be limited to no more than 15-feet in height. This height limitation shall be applied to both pole-mounted and wall-mounted lighting;
39. The pole lights along the NE driveway (north of the Car Wash) and the West driveway (near Pads “Y” & “Z”) shall be limited to 15-feet in height, as measured from finished grade to fixture lens. An additional pole Detail shall be added to the plans to demonstrate compliance;
40. All of the pole lights within 150’ of the east property line, and north of the in-line tenants along the north property line, shall be a dark bronze or black in color, in

order to reduce reflectivity and off-site visibility. The applicant shall create a new fixture/pole "type" in the Fixture Schedule for these units, listing the dark color;

41. In order to help maintain the nighttime "dark skies" in the city, the site shall be required to implement a "post-curfew" lighting plan, at which time a minimum of 50% of the outdoor lighting shall be turned off for the night. The applicant shall therefore provide a separate "Post-Curfew" light plan demonstrating the nighttime reduction in illuminance. This minimum 50% shutdown should include the wall-mounted fixtures along the rear of the in-line tenants and Pads Y and Z. The post-curfew lighting plan should include a photometric study comparable to that provided for the normal / pre-curfew lighting; should be clearly marked as the "Post-Curfew" lighting plan; and should clearly indicate which fixtures are still operating -- either by using graphical isolux templates, shading, or removing the non-operating fixtures from the plan;
42. All final lighting plans shall include a one-line diagram that clearly shows which fixtures/circuits are to be turned off for the post-curfew period, and an electrical site plan with circuit numbers that correspond to the one-line diagram;
43. All final lighting plans shall include a Note that states that the site shall enter post-curfew mode no later than 1 hour after the closing time of the last business (other than the convenience store/gas station, which is already presumed to be a 24-hour operation);
44. The final CDs shall include the manufacturer and model number of all automatic control devices performing the lighting shutdown, and shall clearly identify their locations;
45. In order to help maximize pedestrian safety and emergency vehicle access, the applicant shall be required to place additional lighting near to the ends of all of the driveways, and to show the crosswalks on their photometric plans. No point on the crosswalks/paths across the driveways shall be less than 1.0 FC. This additional safety lighting shall remain on from dusk until dawn. This requirement shall be waived for any driveway that is to have a city streetlight located within 20-feet, but the streetlight will need to be shown and identified on the plans;
46. The lighting plan shall include any-and-all proposed landscape, architectural and external sign lighting that is included in the construction Phase. Any downlighting shall be included in the photometric calculations. Any uplighting shall be limited in intensity to no more than 70-watt HID, and shall be turned off when the site enters post-curfew mode. Uplighting that is visible from the north and west property lines is not allowed;
47. Lighted monument signage visible from the north and east property lines shall be back-lit channel letters;
48. All night ground illumination for signage shall have a maximum intensity of 150 watt halogen. Ground illumination observing the lighting curfew may have an equivalent intensity of 70 watt HID;

49. Lighting plans for the car wash and convenience store shall include the proposed canopy and wall-mounted lights. All of the wall-mounted fixtures shall conform to the IESNA definition of full-cutoff. All fixtures mounted in canopies with heights of  $\geq$  10-feet above finished grade shall be recessed into the canopy ceiling, utilize a flat lens, and be mounted with the fixture door flush to the canopy ceiling. The north side of the Fuel canopy fascia shall be extended to a height/depth of at least 12-inches in order to reduce off-site visibility of the fixture lenses. Canopies with heights of  $<$  10-feet above grade may utilize sag-lens fluorescent fixtures, but the fascia on all sides of the canopies will need to be increased in height/depth so that they hang lower than any portion of the proposed sag-lens fixtures. Car Wash canopy lights shall turn off when the site enters post-curfew mode. The illuminance at grade under any of the C-Store and Car Wash canopies shall not exceed a maintained average illuminance level of 30.0 footcandles, based upon a light loss factor of no less than 0.70;
50. The lighting plan shall include any lighting for under the tenant storefront canopies that is included in the construction Phase. Fixtures visible from the north and west property lines shall be full-cutoff and located so that the lenses and lamps are not visible;
51. The lighting plan shall include lighting for any drive-through canopies (such as for banking, pharmacy or fast food). Fixtures for these Uses shall be recessed into the canopy ceiling, utilize a flat lens, and be mounted with the fixture door flush to the canopy ceiling. Canopies without ceilings shall have the fixtures specified and mounted so the lowest point of the fixtures is at least 2-inches above the canopy fascia. The lighting for 24-hour Uses (such as a bank) may remain on all night, while the lighting for other Uses (such as pharmacy or fast food) shall be reduced by at least 50% within 1-hour after the business closes for the evening. These reductions shall be shown on the post-curfew lighting plan;
52. All future lighting plans shall include the lighting for the "towers" included in the project. Fixtures shall be located and/or shielded so that neither the lenses nor lamps will be visible from any of the property lines. A Detail shall be provided demonstrating compliance with this requirement. Fixtures that will create an uplighting "glow" that will be visible from the north or east property lines shall be turned off when the site enters post-curfew mode;
53. All future lighting plans shall include proposed colors for all of the fixtures and poles. The concrete bases for all poles throughout the project shall have a finish other than unfinished concrete (brushed finished, colored, pebbled, etc.). All of these colors should be included in the Fixture Schedule and the pole Details; and,
54. Approval of the Major Amendment does not constitute approval of any Special Use/Use Permit associated with the center. The applicant shall submit an exhibit showing how the areas proposed for the car wash and Large Retail User will be developed if the Special Use/Use Permits for these uses are not approved, prior to submission of site plan for review and approval by staff.



- 55. The easternmost driveway on Canyon Trails Boulevard being posted to prohibit heavy trucks from turning right onto Canyon Trails Boulevard.
- 56. The number of screen walls or fences located along the east side of the property line between the buildings and the drainage channel shall be limited to one (1) and the location of such wall shall be determined at the time of site plan approval;
- 57. Building uses and setbacks conforming to the standards of the C-2 General Commercial District, except for the side setback requirement which may be zero feet (0') provided all other provisions of the City's Building Code are met.

SECTION III. Amendment of Zoning Map. The Zoning Map of the City of Goodyear is herewith conditionally amended to reflect the change in districts referred to in Section I and the adoption of Supplementary Zoning Map No. 04-203 a copy of which is attached and which shall be filed with the City in the same manner as the Zoning Map of the City of Goodyear.

SECTION IV. Separability. If any section, subsection, 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 portions thereof.

SECTION V. Effective Date. This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Arizona, this 16 day of MAY, 2005.



James M. Cavanaugh  
James M. Cavanaugh, Mayor

MAY 16, 2005  
Date

ATTEST:

Dee Cockrum  
Dee Cockrum, City Clerk

APPROVED AS TO FORM:

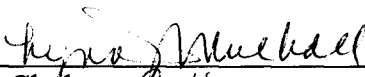
Roric Massey  
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA                    )  
  ) ss.  
County of Maricopa                    )

I, the undersigned Dee Cockrum, being the duly appointed, qualified City Clerk of the City of Goodyear, Arizona, certify that the foregoing Ordinance 2005-942 passed and adopted at a City Council Meeting of the Council of the City of Goodyear, Maricopa County, Arizona held on the 16th day of May, 2005, at which a quorum was present and, by a 6-1 vote, voted in favor of said ordinance.

Given under my hand and seal, this 23 day of May, 2005.

  
\_\_\_\_\_  
City Clerk - Acting

## EXHIBIT A

### LEGAL DESCRIPTION:

A 91 acre parcel of land, more or less, being a portion of the west half of Section 12, Township 1 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and described as follows:

Commencing at the iron bar at the southwest corner of said Section 12, from which the brass cap in hand hole at the west quarter corner of said Section 12 bears, North 00°19'20" East, a distance of 2,645.41 feet;

THENCE: South 89°45'07" East along the south line of the Southwest Quarter of said Section 12, a distance of 2,025.00 feet;

THENCE: Departing perpendicular to said south line of the Southwest Quarter, North 00°14'53" East, a distance of 75.00 feet to a point on the proposed north right-of-way line for Yuma Road and the Point of Beginning;

THENCE: North 89°45'07" West along said proposed north right-of-way line for Yuma Road, a distance of 1,668.16 feet;

THENCE: Departing said proposed north right-of-way line for Yuma Road, North 46°52'49" West, a distance of 77.73 feet to a point on the proposed east right-of-way line for State Route 303 (aka Cotton Lane);

THENCE: North 00°19'20" East, along said proposed east right-of-way line, a distance of 250.00 feet;

THENCE: Continuing along said proposed east right-of-way line, North 03°01'48" West, a distance of 2,226.48 feet;

THENCE: Departing said proposed east right-of-way line, North 43°36'20" East, a distance of 20.60 feet to a point on the proposed south right-of-way line for Canyon Trails Boulevard;

THENCE: South 89°45'31" East along said proposed south right-of-way line, a distance of 248.81 feet to the beginning of a curve concave northwesterly and having a radius of 830.00 feet;

THENCE: Continuing along said proposed south right-of-way line, northeasterly along said curve through a central angle of 18°53'06" an arc length of 273.33 feet;

THENCE: Continuing along said south right-of-way line, North 71°22'23" East, a distance of 552.15 feet to the beginning of a curve concave southeasterly and having a radius of 570.00 feet;

THENCE: Continuing along said proposed south right-of-way line, northeasterly along said curve through a central angle of 1°27'50" an arc length of 14.56 feet;

THENCE: Departing non-tangent to said proposed south right-of-way line, South 07°24'16" East, a distance of 333.26 feet to the beginning of a curve concave northeasterly and having a radius of 700.00 feet;

THENCE: Southeasterly along said curve through a central angle of 27°46'50" an arc length of 339.40 feet;

THENCE: South 35°11'06" East, a distance of 437.09 feet to the beginning of a curve concave southwesterly and having a radius of 1,000.00 feet;

**Ordinance 2005-942**

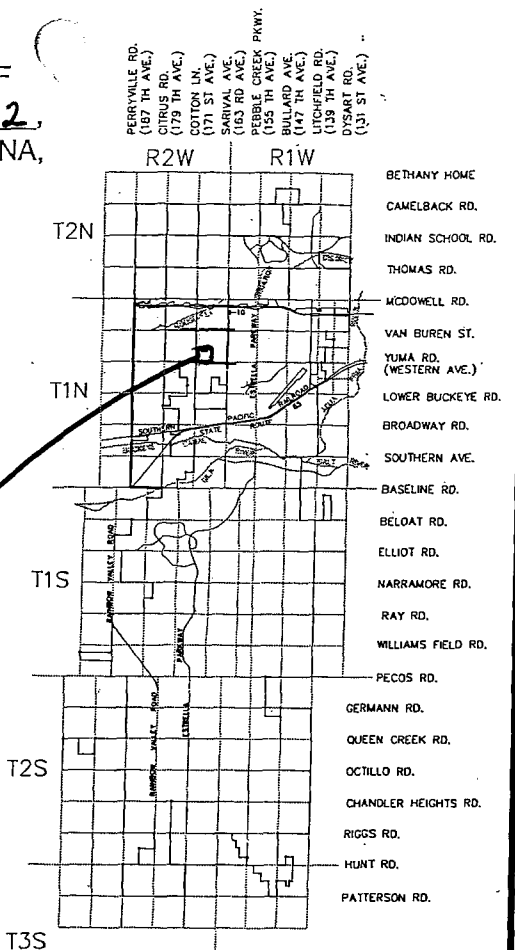
Conditionally rezone 72 acres of the 91 acre parcel from the Residential Planned Area Development PAD District to the Commercial Planned Area Development PAD District so that the entire 91 acre parcel is zoned Commercial Planned Area Development PAD District for development of the Canyon Trails Towne Center regional commercial center, dated May 2005, amending Supplementary Zoning map 04-203 referenced by the Ordinance, is on file with the City of Goodyear Clerk.

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 04-203

AMENDING ARTICLE 2, SECTION 1.B OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO. 05-942, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS 16 DAY OF MAY, 2005.

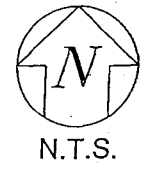
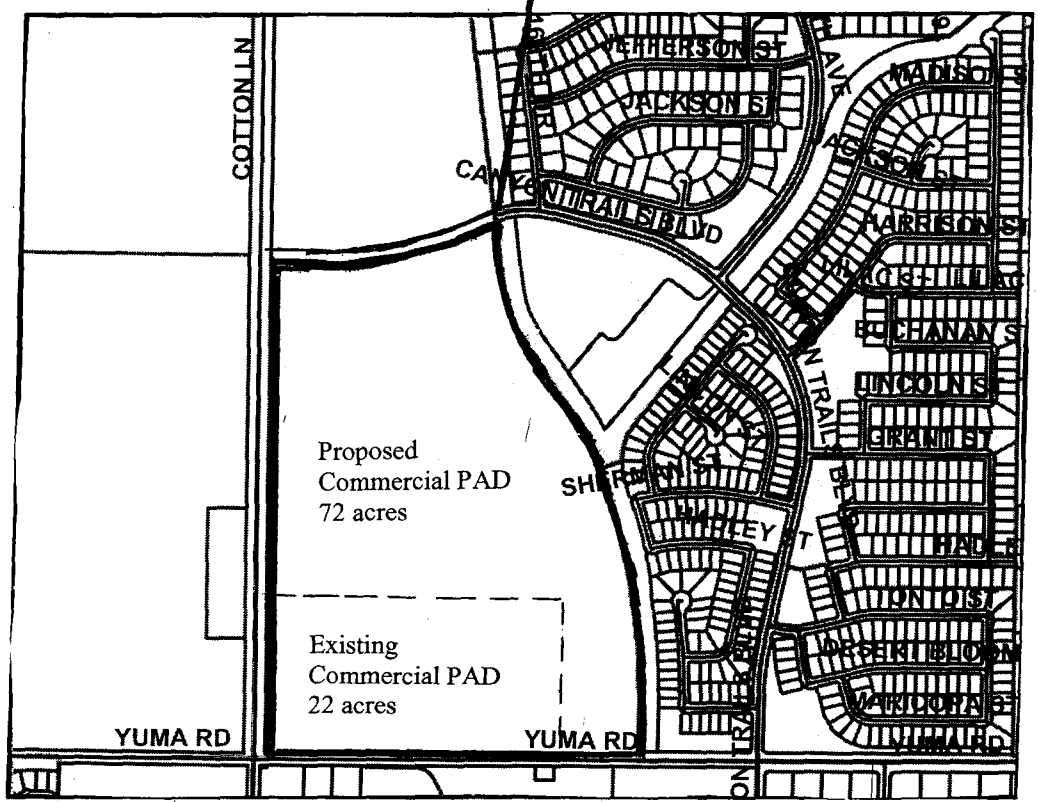
*[Signature]*  
MAYOR

*[Signature]*  
CITY CLERK



SUBJECT PROPERTY:

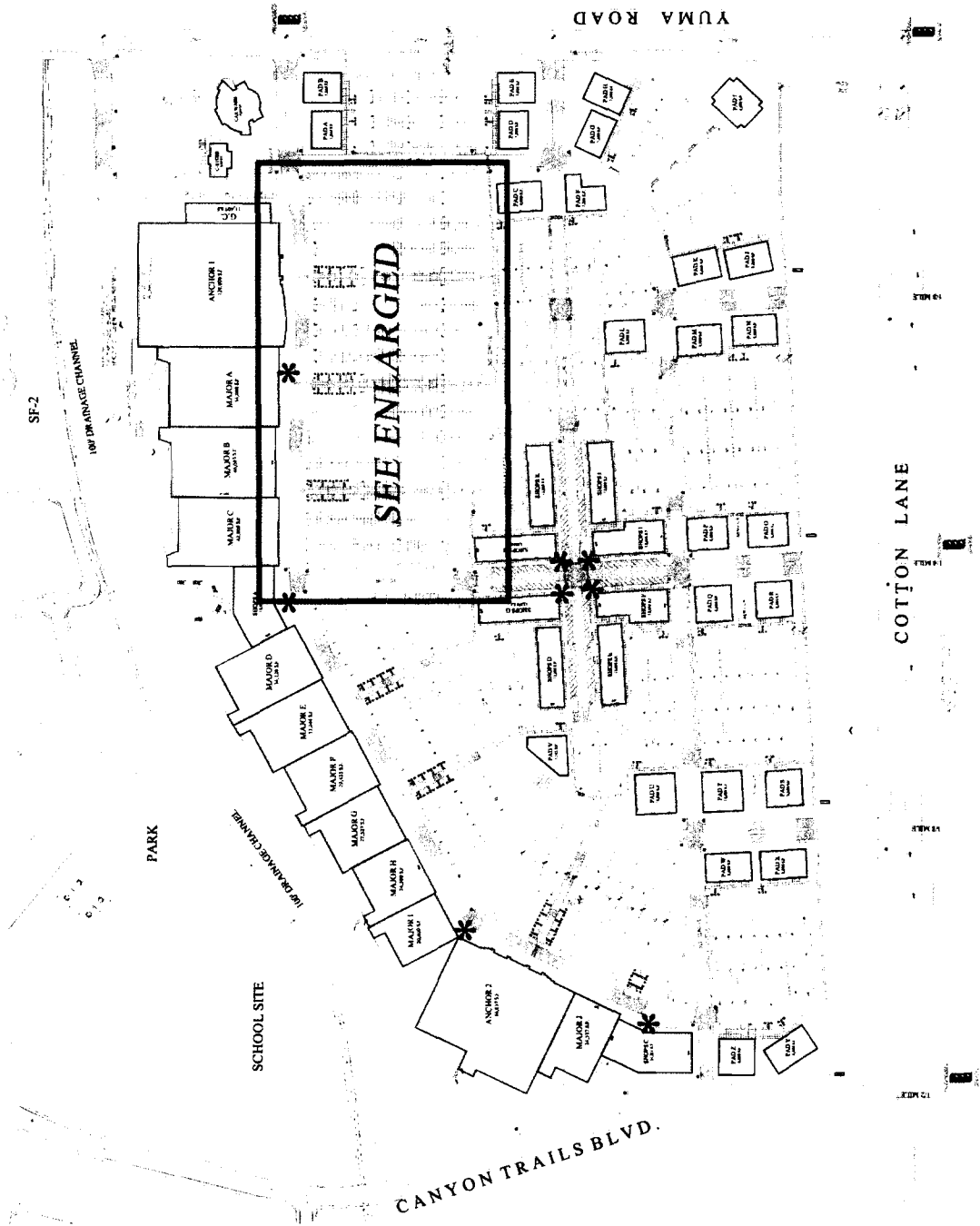
A Portion of the West Half of Section 12, Township 1 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County Arizona.



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

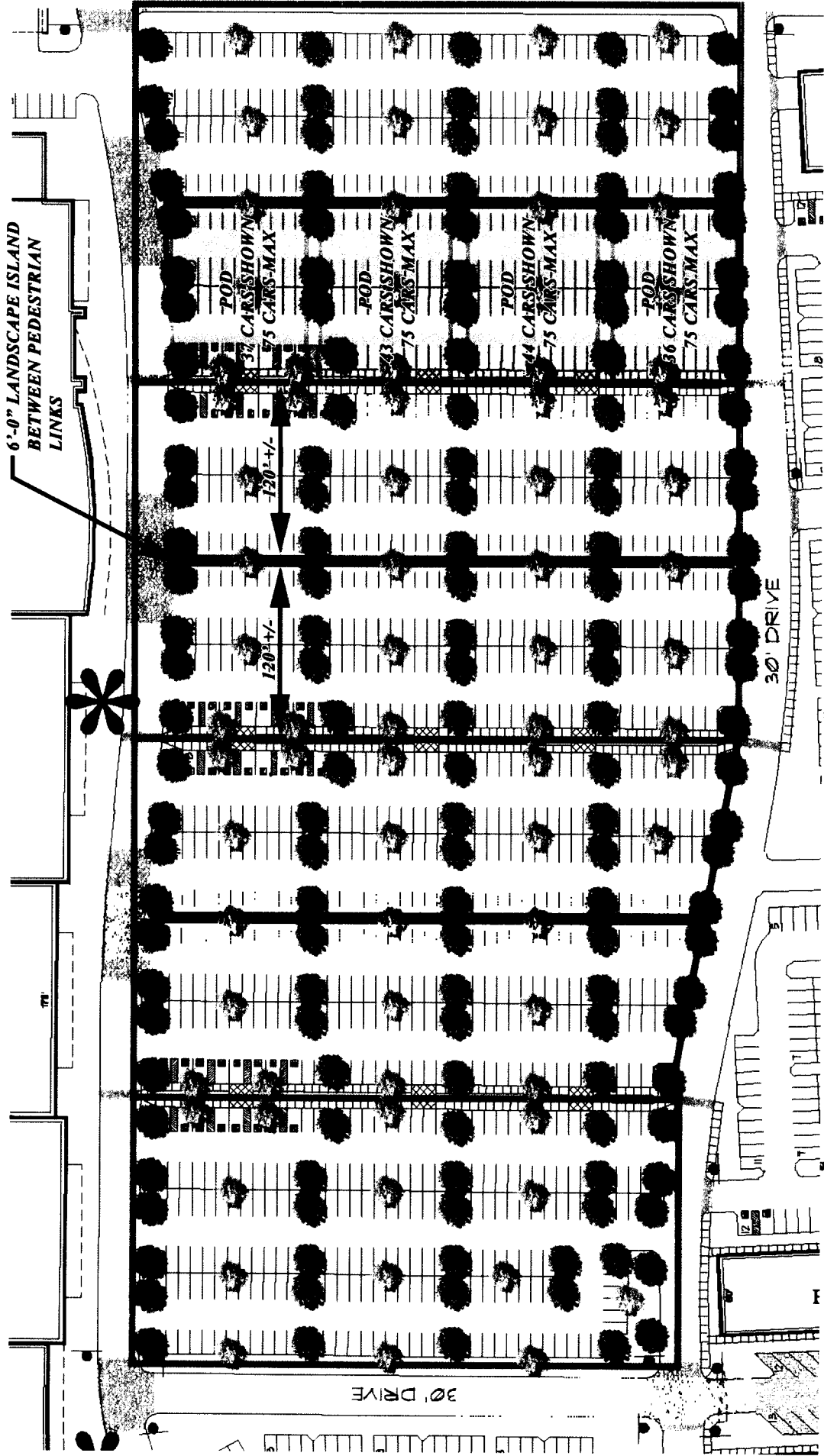
EXHIBIT A	REZONE - RESIDENTIAL PAD TO COMMERCIAL PAD Z-17-04	DATE: OCT '04
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**CANYON TRAILS**  
 TOWN CENTER  
 N.E. & S.E. CORNERS OF YUMA ROAD & COTTON LANE  
 GOODYEAR, ARIZONA

**PARKING "POD" EXHIBIT**





**CANYON TRAILS**  
 TOWN CENTER  
 N.E. & S.E. CORNERS OF YUMA ROAD & COTTON LANE  
 GOODYEAR, ARIZONA



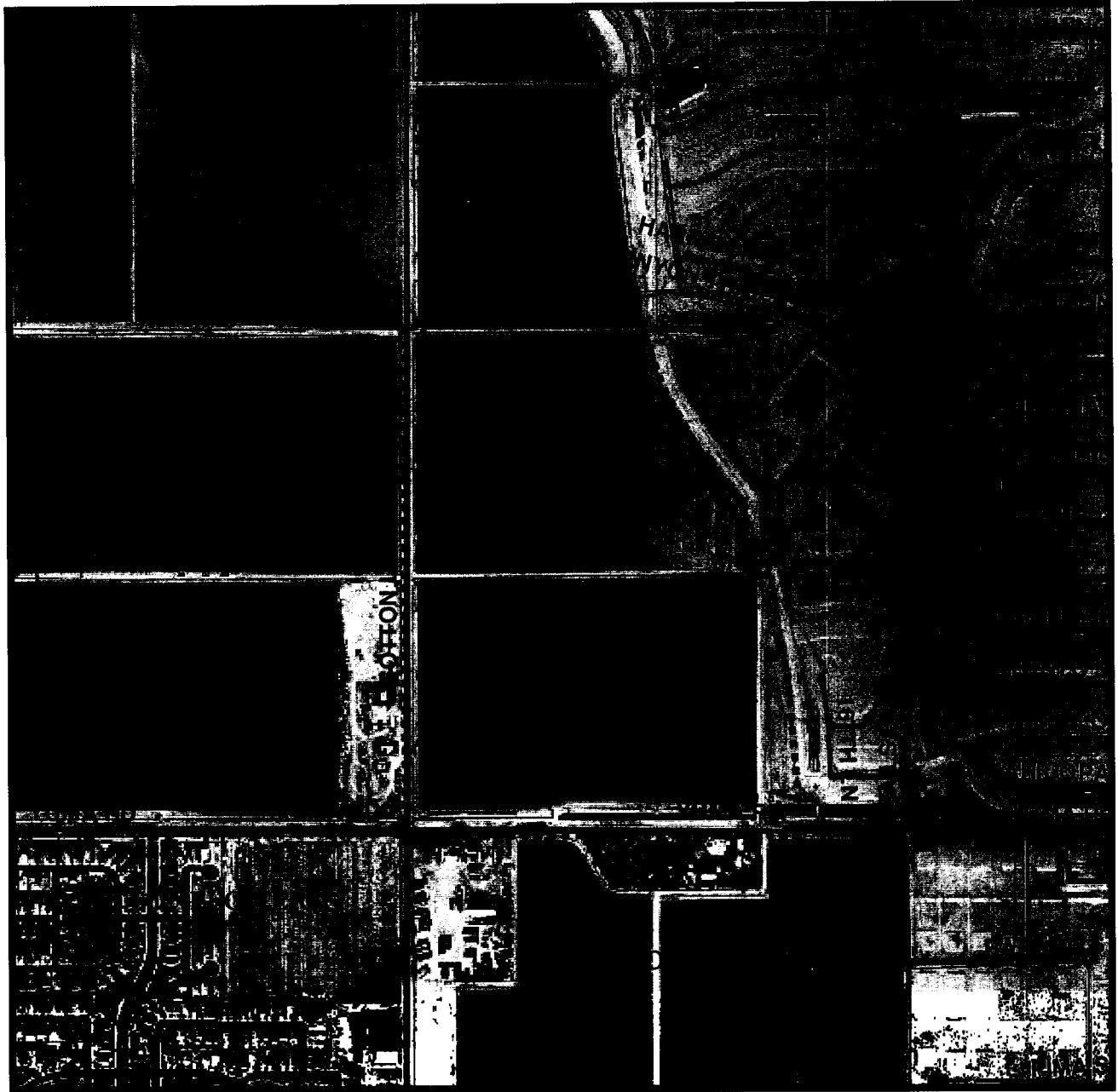
**VESTAR**  
 DEVELOPMENT

**PROPOSED SOLUTION**

05/10/05  
**Bd**  
 BAKER DESIGN GROUP, INC.

Canyon Trails Towne Center

**AMENDMENT TO THE  
CANYON TRAILS PLANNED AREA DEVELOPMENT  
CASE Z-17-04**

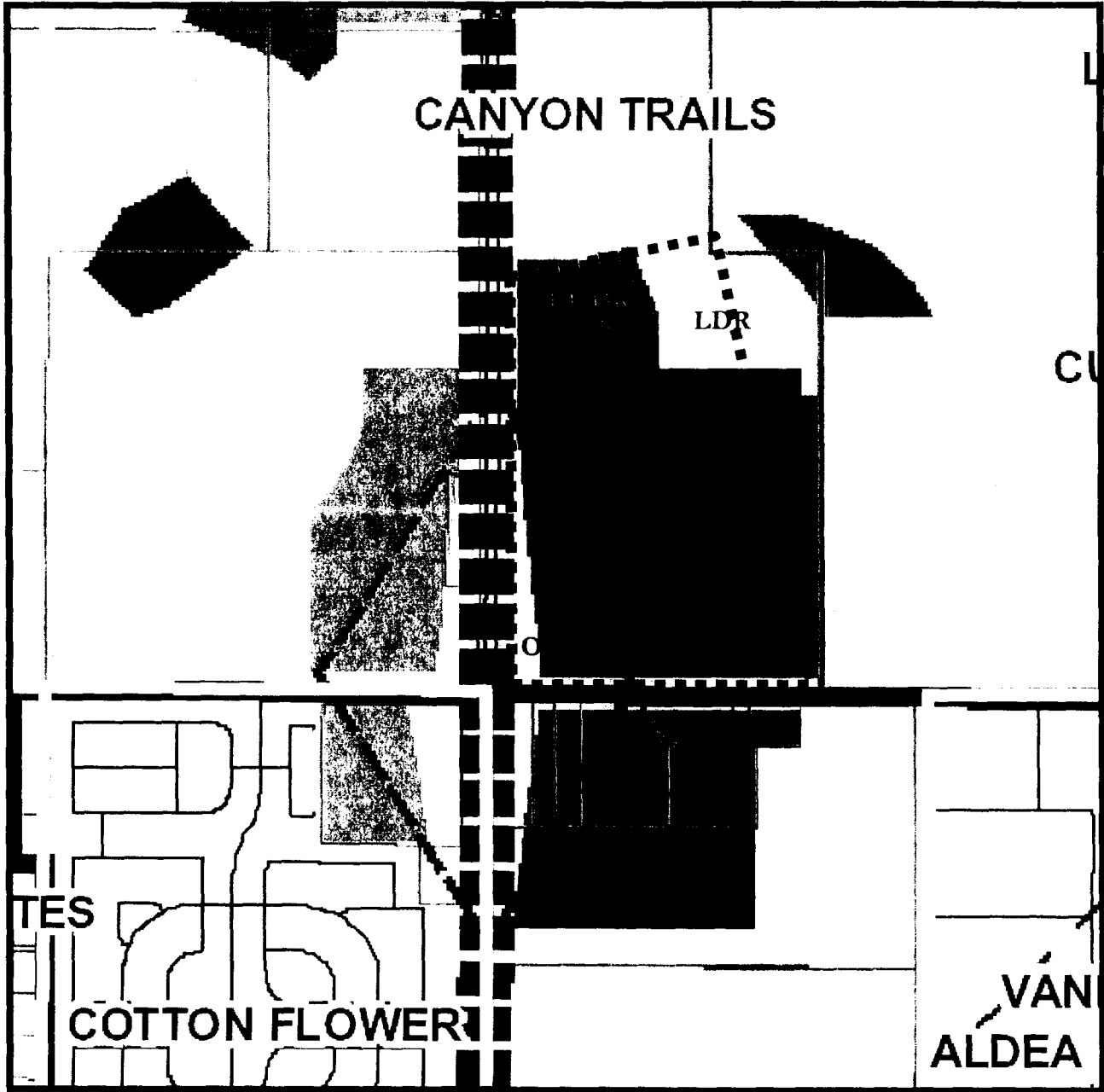


NORTH



Canyon Trails Towne Center  
Case Z-17-04

**GENERAL PLAN LAND USE MAP**



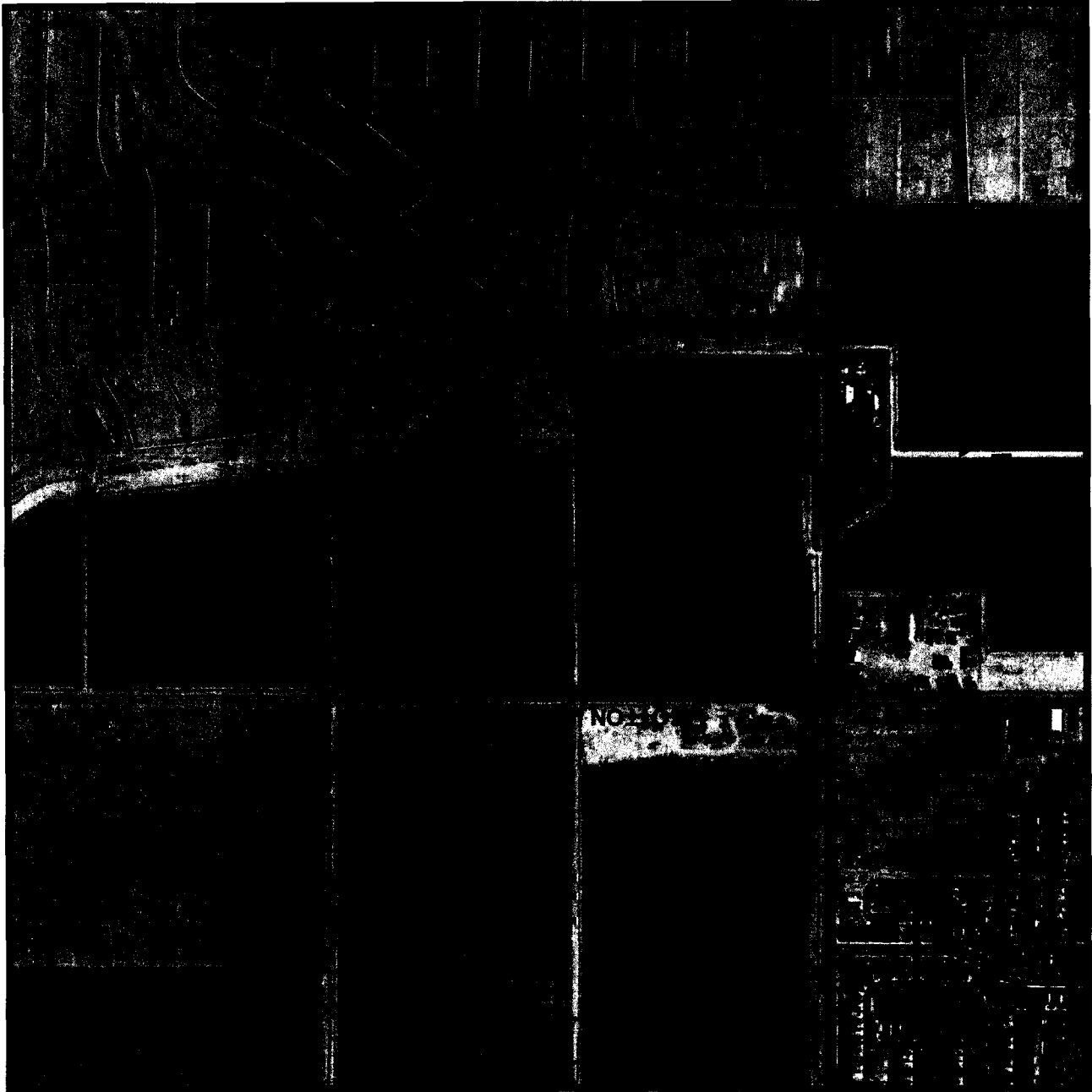
LEGEND

- RC – REGIONAL COMMERCIAL
- M-HDR – MEDIUM-HIGH DENSITY RESIDENTIAL
- LDR – LOW DENSITY RESIDENTIAL
- O/S – OPEN SPACE



NORTH

Outline of Regional Commercial Land Use Designation  
from Land Use Plan Map in  
City of Goodyear General Plan



**EXISTING  
CONDITION**

Existing Land Use Designations from Canyon Trails Pads

SF – 35 ACRES

CH – 12 ACRES

TH – 9 ACRES

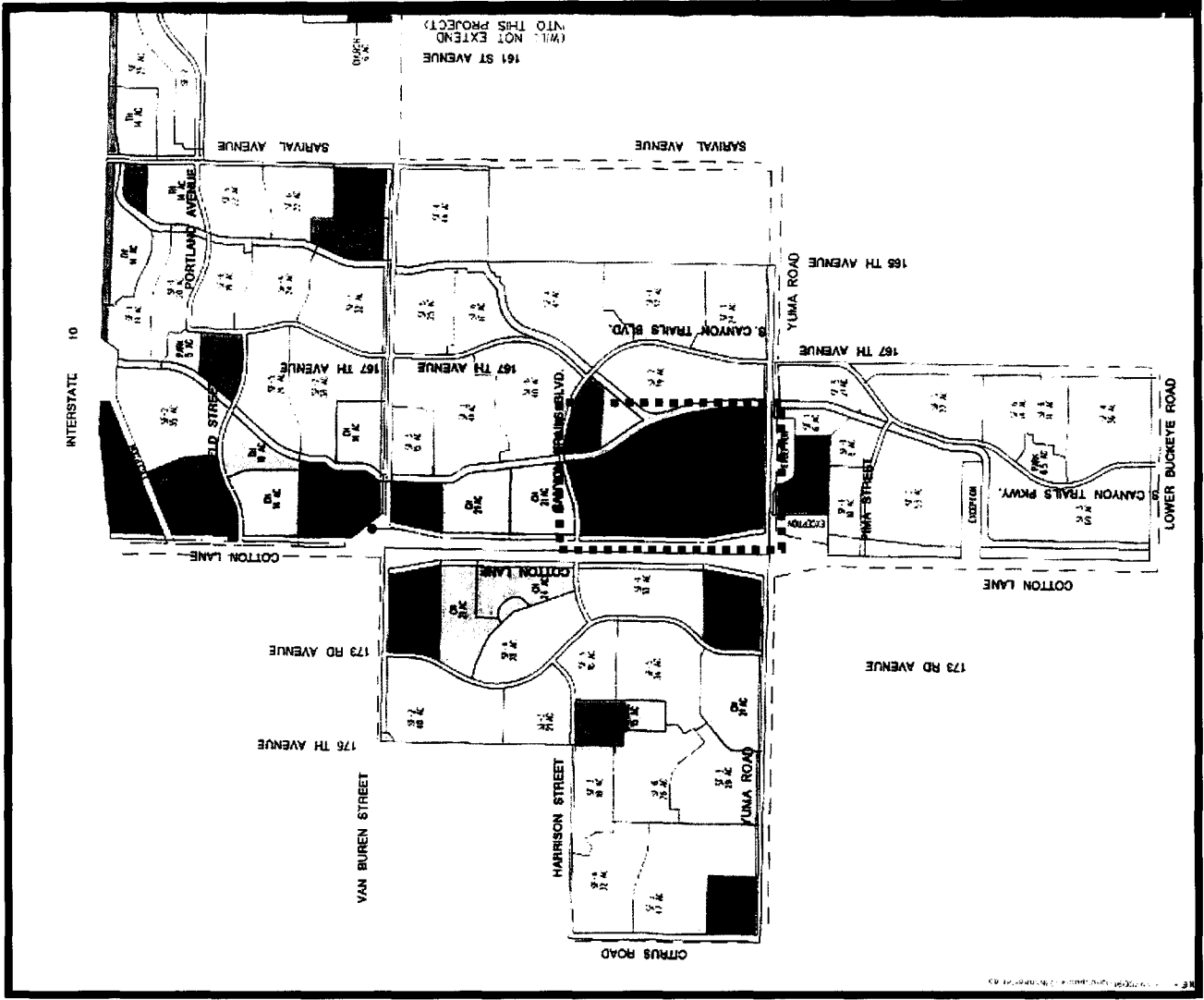
MF – 16 ACRES

COMM – 22 ACRES

TOTAL 94 ACRES



THE MANAGER OF UTILITY AND  
WATER SERVICE DEPARTMENT  
MAY BE CONTACTED FOR MATERIAL



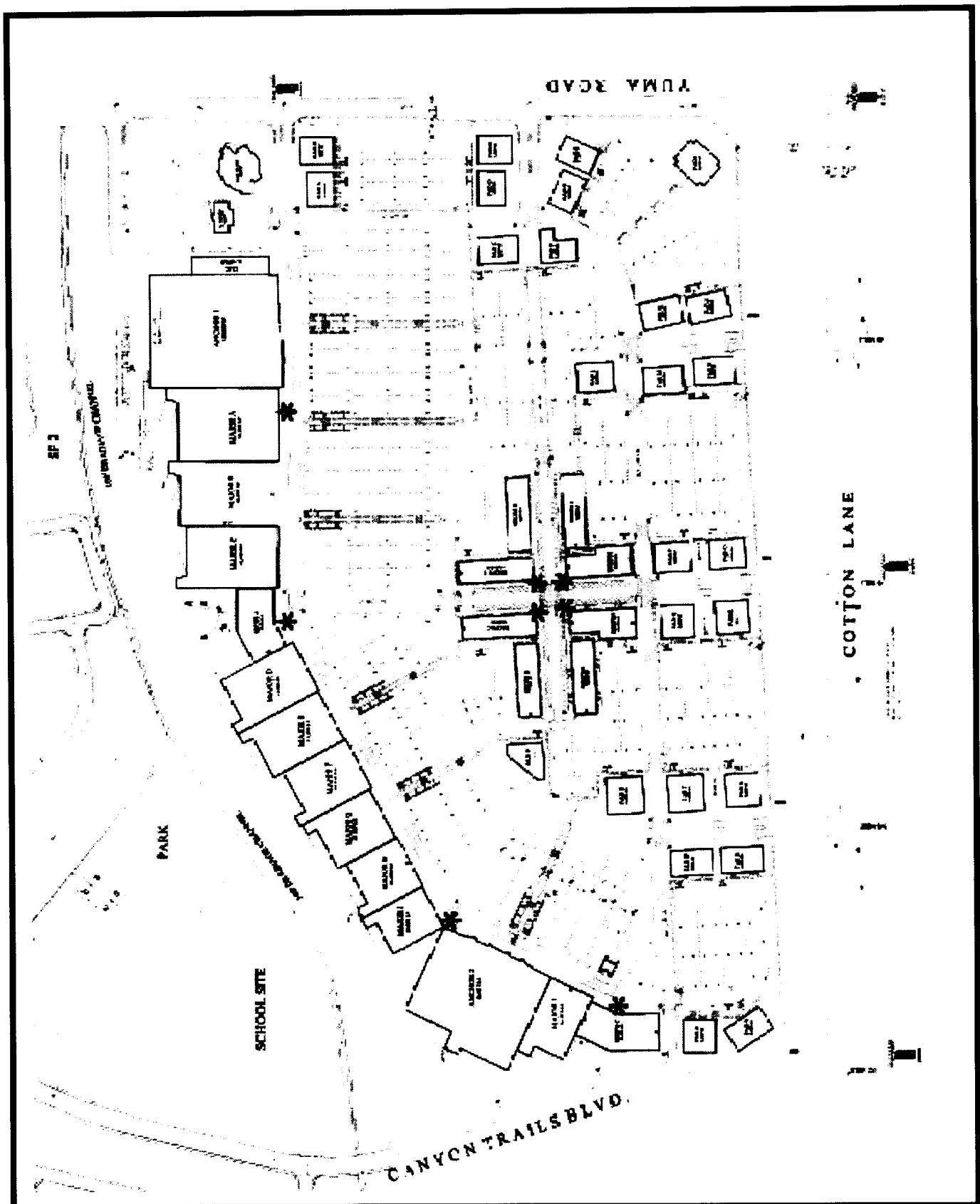
**PROPOSED  
CONDITION**

Proposed Land Use Designation  
for NE Corner of Yuma Road and Cotton Lane  
in Canyon Trails PAD

**COMM – 94 ACRES**

# Canyon Trails Towne Center

Case Z-17-04





*A subsidiary of Pinnacle West Capital Corporation*

Name Ruth Piatek  
Title Design Project Leader  
Department Customer  
Construction West

Tel. 623-975-5764  
Fax 623-975-5748  
e-mail Ruth.Piatek@aps.com

Mail Station 4620  
PO Box 53933  
Phoenix, Arizona 85072-3933

April 28, 2005

Vestar Development Co.  
Byron Oberg  
2425 E. Camelback Rd, Su 750  
Phoenix, AZ 85016

RE: Canyon Trails Towne Center

Dear Mr. Oberg:

Thank you for the opportunity to provide information regarding electrical service to the above location. The referenced area is in Arizona Public Service Company's electric service area. We extend our facilities to serve this location in accordance with the "Conditions Governing Extensions of Electric Distribution Lines and Services", Schedule #3, and the "Terms and Conditions for the Sale of Electric Service, Schedule #1, on file with the Arizona Corporation Commission at the time we begin installation for the electric facilities. Copies are available upon request.

The electric infrastructure is in place to serve the capacity required for your project. Construction of a substation specific to serve the Center will not be required. Power is available both on the west side and south side of the property.

All trenching and conduit installation is the responsibility of the Customer and will then be inspected and approved by APS. We will provide you with the requirements and specifications.

Prior to construction, an advance payment may be required. The amount of advance payment cannot be determined until an economic analysis has been made, based in part on certain information you will be required to furnish. This payment may be refundable in accordance with section 5 of Schedule #3.

In addition, you may also incur additional costs which are non-refundable. These costs will depend upon the extent of the construction you will require that we perform to facilitate your project. An annual facilities charge may also be required in addition to the standard rates for electric service. Any APS charges will be set forth in an extension agreement which will require authorization by APS and the Customer.

It is to be understood that this letter is intended only for your general information and does not constitute any type of offer or agreement between us. If you have any questions, please feel free to call me at 623-975-5764.

Sincerely,

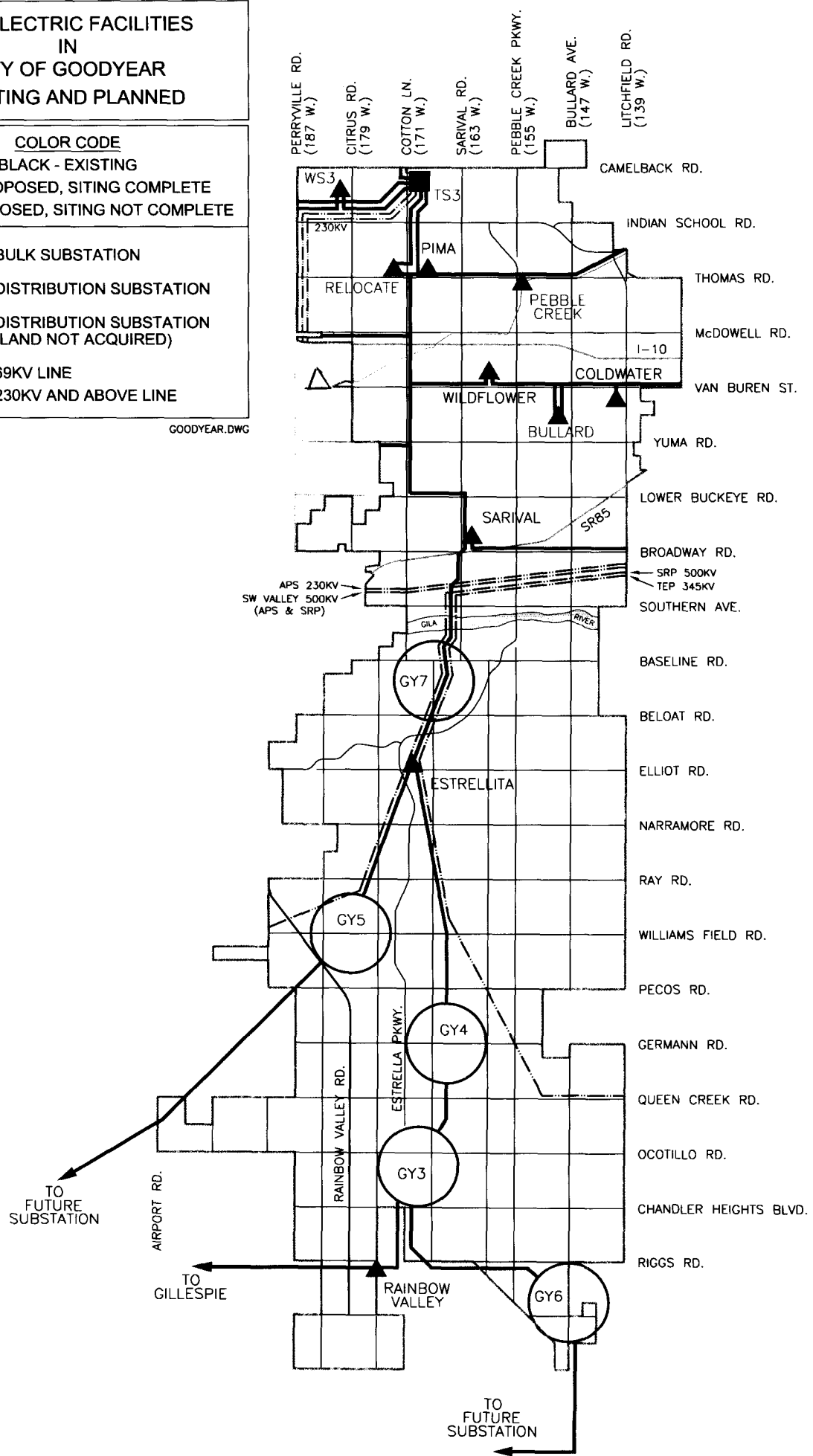
Ruth Piatek  
Customer Service Representative  
Customer Construction West

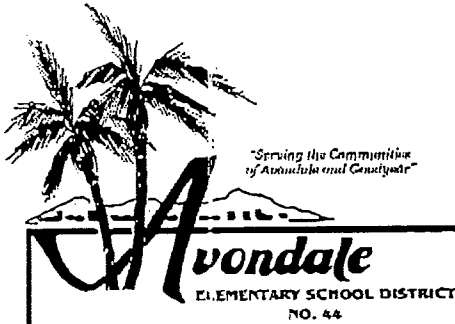
**APS ELECTRIC FACILITIES  
IN  
CITY OF GOODYEAR  
EXISTING AND PLANNED**

**COLOR CODE**  
 BLACK - EXISTING  
 RED - PROPOSED, SITING COMPLETE  
 BLUE - PROPOSED, SITING NOT COMPLETE

- BULK SUBSTATION
- ▲ DISTRIBUTION SUBSTATION
- DISTRIBUTION SUBSTATION (LAND NOT ACQUIRED)
- 69KV LINE
- - - 230KV AND ABOVE LINE

REVISED 6/4/04 GOODYEAR.DWG





**Dr. Catherine Stafford**  
Superintendent

**Dr. Linda Ronnebaum**  
Assistant Superintendent

**Marcie Celaya**  
Executive Director of  
Business Services

May 4, 2005

Mr. Harvey Krauss  
Director, Community Development  
City of Goodyear  
190 North Litchfield Road  
P.O. Box 5100  
Goodyear, Arizona 85338

**Re: Canyon Trails Towne Center / Taylor Woodrow School Site**

Dear Mr. Krauss:

On May 3, 2005, I sent a letter outlining my position and concerns on the Canyon Trails Towne Center and our proposed K-8 school site. Today I met with Mr. Joe Schmitz, Mr. Bruce Hilby, and representatives from Taylor Woodrow.

We reviewed the option of moving the site to another location in the development south of Yuma Road. However, the District already has commitment for two other school sites in that area which should be sufficient for the number of houses projected to be built. If we lose the school site north of Yuma, we would overtax the capacity of Desert Thunder and Wildflower School.

Mr. Tom Blake from Taylor Woodrow did offer some opportunities for expanding our playfield options directly east of the proposed school site. We will be working with Coe and Van Loo and our architect, Ben Barcon to conceptualize how we could allow for more parking and alleviate some of our drop-off and pick-up concerns. I am confident that these negotiations will enhance our school site.

In reference to Vestar Development Company, I continue to respectfully request that Vestar consider what they could offer to improve our current approved site, such as overflow parking for school events.

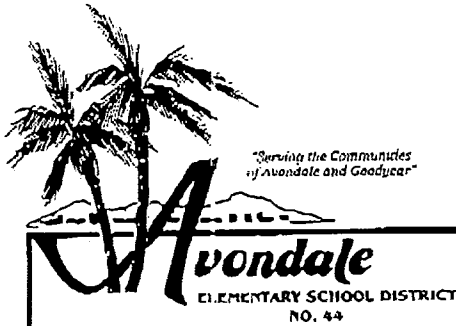
Thank you for your consideration.

Sincerely,

Dr. Catherine Stafford  
Superintendent

cc: Planning and Zoning Commission





**Dr. Catherine Stafford**  
Superintendent

**Dr. Linda Ronnebaum**  
Assistant Superintendent

**Marcie Celaya**  
Executive Director of  
Business Services

May 3, 2005

Mr. Harvey Krauss  
Director, Community Development  
City of Goodyear  
190 North Litchfield Road  
P.O. Box 5100  
Goodyear, Arizona 85338

**Re: Canyon Trails Towne Center**

Dear Mr. Krauss:

It has come to my attention that the City of Goodyear Planning and Zoning Commission is reviewing the Canyon Trails Towne Center Master Plan for approval. This retail center will be directly west of a proposed K-8 school site. The District's initial concern is that the school site would not be a center point within this Canyon Trails neighborhood.

As a reminder, we have had extensive negotiations on this particular school site when Taylor Woodrow became the developer and builder. Planning and Zoning's concerns at that time was the parent drop-off and pick-up and appropriate access to the school. Currently there is only one street, which provides this access and there is a T-intersection at the east end of the property.

It was suggested at that time that the site be moved to another location in the development. Taylor Woodrow's representative indicated any major relocation of the school site would have incurred additional engineering costs, which were not feasible for the project. In collaboration with their representative, we proposed the best possible solution for this site and it was approved for final plat.

While I appreciate the fact that Vestar Development Company does not have an interest in the school site or neighborhood development, the proposed shopping center will impact traffic flow and patterns. I would respectfully request that Vestar consider what they could offer to improve our current approved site, such as overflow parking for school events.

Mr Bruce Hilby has contacted Taylor Woodrow to arrange a meeting to renew our discussions on improving this approved site or an optional site south of Yuma Road. We look forward to these discussions and will continue to work on solutions for our concerns. These concerns are more directly related to the approved school site and I would support the Vestar project moving forward in their approval process. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Catherine Stafford", written in a cursive style.

Dr. Catherine Stafford  
Superintendent

cc: Planning and Zoning Commission

## Vestar Regional Commercial Timeline

4-29-05

1. January 3, 2003: Dick Wilson sends memo to City of Goodyear General Plan Update Committee proposing regional commercial (power center) at the NEC and NWC of Cotton Lane and Yuma Road.  
See **Exhibit 1**, memo from Dick Wilson.

Vestar sends Canyon Trails Selling Entity its original letter of intent to purchase 94 acres at the NEC of Yuma and Cotton Lane.  
See **Exhibit 1**, Vestar letter of intent and map in letter of intent showing parcel configuration.

2. April 2, 2003: Vestar meets with Steve Cleveland and staff to discuss locating a power center on this site.  
See **Exhibit 2**, Bruce Hilby Daytimer page.
3. April 10, 2003: Vestar revises letter of intent to include SEC of Cotton Lane & Yuma Road.  
See **Exhibit 3**, map and revised letter of intent for parcel configuration.
4. April 16, 2003: Planning & Zoning Commission approves 94 acres of regional commercial at NEC of Cotton Lane and Yuma on unanimous vote. This meeting was to vote on various matters in the "errata" sheet in the update of the General Plan.  
See **Exhibit 4**, P&Z minutes.
5. May 12, 2003: Vestar unveils its plan for regional commercial at the NEC of Cotton Lane and Yuma Road at the meeting of the City Council related to the update of the General Plan.  
See **Exhibit 5**, minutes of Council Meeting.
6. June 16, 2003: City Council unanimously agrees at a special city council meeting to include 94 acres of regional commercial at the NEC of Cotton Lane and Yuma Road in the General Plan Update's Land Use.  
The purpose of this meeting was to vote on the various "errata" sheet items that were still at issue for the update to the General Plan. The entire General Plan Update was then unanimously approved by the City Council.  
See **Exhibit 6**, minutes of City Council meeting.

7. July 16, 2003: Planning and Zoning Commission unanimously approves Taylor Woodrow's pre plat for Parcels 3B-J, located just across the trail from the recently (General Plan Update) approved regional commercial site at the NEC of Cotton Lane and Yuma Road.  
See **Exhibit 7**, minutes of the P&Z meeting.
8. September 22, 2003: At 10:00AM, Mayor Cavanaugh and Grant Anderson meet with Bruce Hilby who alerted them to the fact that the Vestar site had been incorrectly shown on the land use map of the General Plan Update as "community commercial". Mayor Cavanaugh instructs Grant to correct this to show the site as Regional Commercial. Grant then meets with Kevin Kuglar in Community Development and instructs him to have the map changed before it is mailed to the voters.  
See **Exhibit 8**, Bruce Hilby's Daytimer notes.
9. September 22, 2003: At 6:00 PM, the City Council approves Taylor Woodrow's pre plat for Parcels 3B-J, showing the school site immediately across the trail from the regional commercial site approved in the General Plan Update.  
See **Exhibit 9**, approved Taylor Woodrow pre plat map.
10. November 4, 2003: Voters of Goodyear ratify the General Plan Update which shows regional commercial at the NEC of Yuma and Cotton Lane.  
See **Exhibit 10**, Update to General Plan cover.
11. April 20, 2004: Taylor Woodrow executives work with Grant Anderson, Harvey Krauss, and Cathy Stafford (Superintendent of Avondale Elementary School District) to revise school site layout to improve drop off and pick up of kids area. School site is located south of Canyon Trails Blvd immediately east of the trail which forms the eastern edge of the (General Plan Update) approved regional commercial site.  
See **Exhibit 11**, e-mail and attachments from Kelly House, President of Taylor Woodrow, to Cathy Stafford, Superintendent of Avondale Elementary School District.
12. May 10, 2004: City Council approves Taylor Woodrow's final plat for parcels 3B-J, including school site at Canyon Trails Blvd and trail.  
See **Exhibit 12**, minutes of City Council Meeting.

1. January 3, 2003: Dick Wilson sends memo to City of Goodyear General Plan Update Committee proposing regional commercial (power center) at the NEC and NWC of Cotton Lane and Yuma Road.  
See **Exhibit 1**, memo from Dick Wilson.

Vestar sends Canyon Trails Selling Entity its original letter of intent to purchase 94 acres at the NEC of Yuma and Cotton Lane.  
See **Exhibit 1**, Vestar letter of intent and map in letter of intent showing parcel configuration.

**COLDWATER PROPERTY CO.**  
4730 E. Indian School Rd. #120-260, Phoenix, AZ 85018  
(602) 508-8500 FAX 508-8510

**M E M O R A N D U M**

**TO: City of Goodyear, General Plan Update Committee**

**Subj: Proposed edits to draft of Dec 19, 2002**

**Date: 1-3-03**

**From: Dick Wilson, Coldwater Property Co.**

---

1. We propose that regional commercial be allowed at Yuma & Cotton Lane.
2. We make this proposal in light of the following factors:
  - existing commercial uses at this intersection,
  - the existing commercial zoning of each corner,
  - the expressed interest for larger commercial centers at this location, and
  - the desire by the city to maximize its sales tax revenues along future high traffic roadways.
3. Suggested language and map changes to accomplish this could include the following:
  - at Page 31 second paragraph, include a reference for RC uses (power centers) at the northeast and northwest corners of Yuma and Cotton Lane plus
  - show such uses on the general plan land use map.

call - Stelly with time for Steve Cleveland

Vestar

February 3, 2003

Via Facsimile (602) 508-8510  
and U. S. Mail

Mr. Bruce T. Hilby  
Tierra Associates, Ltd.  
4730 E. Indian School Rd., #120-260  
Phoenix, AZ 85018

Re: Letter of Intent to Purchase  
Up to Approximately 94 acres located at the  
NEC of Cotton Lane and Yuma  
Goodyear, Arizona

Dear Bruce:

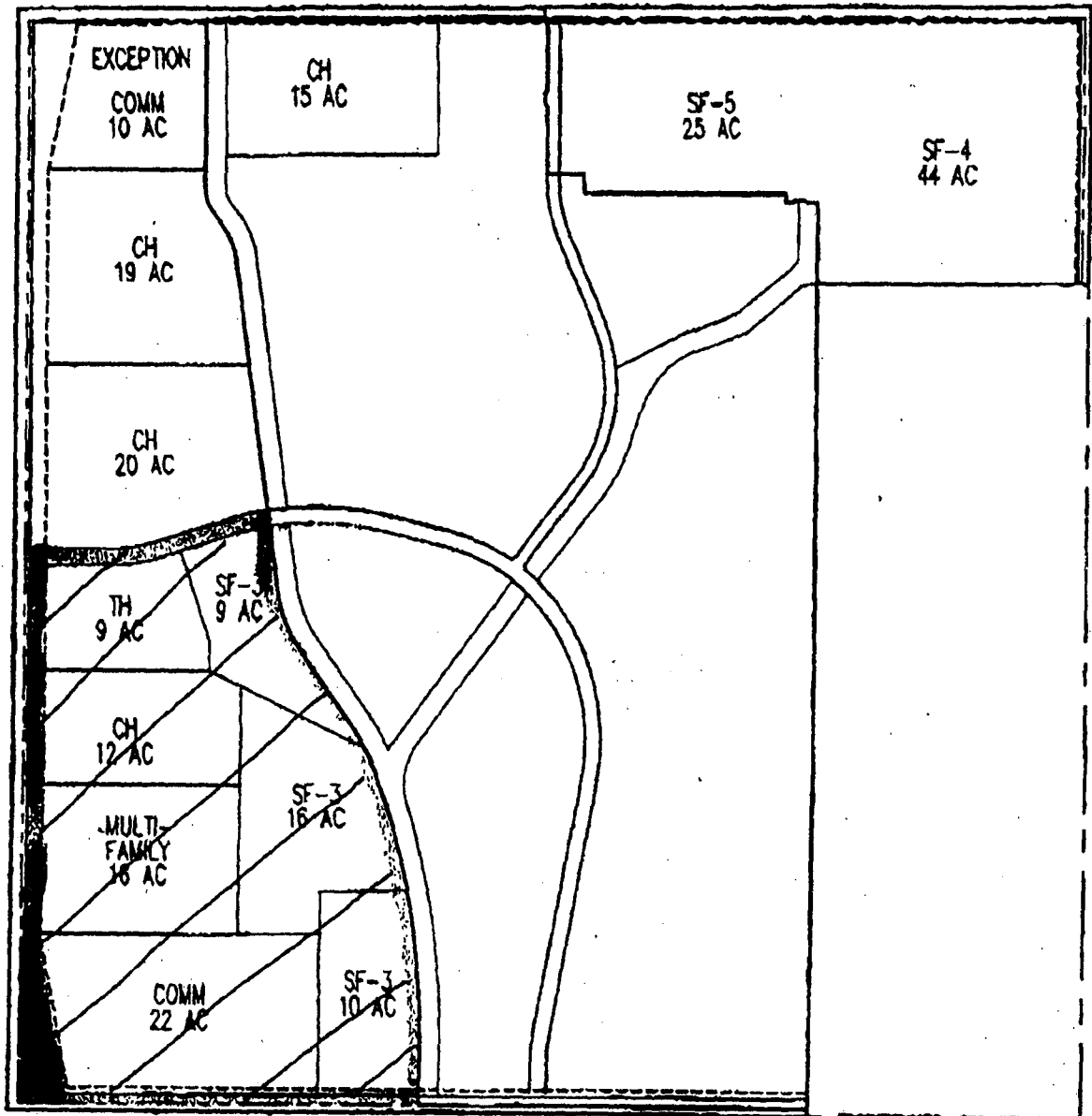
On behalf of Vestar Development Co., I would like to express our desire to purchase the subject property under the following terms and conditions:

1. Purchaser: Vestar Development Co., and/or nominee.
2. Description of Property: Purchaser will have the right to acquire up to ninety-four (94) net useable acres of commercially zoned property in a configuration generally outlined in red on the plat map attached hereto as Exhibit "A" ("Property").

# Exhibit "A"

## VAN BUREN STREET

COTTON LANE



SARIVAL AVENUE

## YUMA ROAD

**█** = VESTAR COMM SITE

= TAYLOR WOODROW



2. April 2, 2003: Vestar meets with Steve Cleveland and staff to discuss locating a power center on this site.  
See **Exhibit 2**, Bruce Hilby Daytimer page.

2

MARCH 2003							APRIL 2003							MAY 2003						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
2	3	4	5	6	7	8	1	2	3	4	5	6	7	8	9	10	11	12	13	14
9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su

WEDNESDAY  
APRIL 2003

273 Days Left

### APPOINTMENTS & SCHEDULED EVENTS

NAME • PLACE • SUBJECT

HOURS

#### TO BE DONE TODAY (ACTION LIST)

Will French & Grubb & Ellis

.00 8  
.15  
.30  
.45 0800  
.00  
.15 9  
.30  
.45 0900  
.00 10  
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.30  
.45 1000  
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.45 1100  
.00 12  
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.15  
.30  
.45 1700

#### NOTES & MEMOS MADE TODAY

VSTAR / goodys

S:7  
Lester  
JAP 213

Q x 2  
Lester



3. April 10, 2003: Vestar revises letter of intent to include SEC of Cotton Lane & Yuma Road.  
See **Exhibit 3**, map and revised letter of intent for parcel configuration.

Vestar

April 10, 2003

*Via Facsimile (602) 508-8510  
and U. S. Mail*

Mr. Bruce T. Hilby  
Tierra Associates, Ltd.  
4730 E. Indian School Rd., #120-260  
Phoenix, AZ 85018

**Re: Canyon Trails  
Goodyear, Arizona**

Dear Bruce:

Based upon your comments we received on March 28, 2003, Vestar Development Co. would like to purchase the subject property under the following terms and conditions:

1. Purchaser: Vestar Development Co., and/or nominee.
2. Description of Property: Purchaser will have the right to acquire: Parcel A - up to 94 net useable acres of commercially zoned property and Parcel B - 41 net useable acres of the same zoning, in a configuration generally outlined in red on the plat map attached hereto as Exhibit "A" ("Property").

To: BRUCE HILBY 602.508.8510  
FROM: JAMIE COVERDALE

CC: SCOTT YINGERLING  
602.508.0745

CANYON TRAILS

COTTON FLOWER

COTTON LN.

YONKIN

TRAILS

5 AC

SF-4  
37 AC  
137 LOTS

SF-4  
24 AC  
85 LOTS

CH  
35 AC

SF-2

EXCEPTION

PARK 5 AC  
SCHOOL 10 AC

SF-5  
33 AC  
98 LOTS

SF-2  
33 AC

PARK 5 AC

SF-4  
25 AC

SF-5  
34 AC

SCHOOL

36 AC

SE C


NE C

4. April 16, 2003: Planning & Zoning Commission approves 94 acres of regional commercial at NEC of Cotton Lane and Yuma on unanimous vote. This meeting was to vote on various matters in the "errata" sheet in the update of the General Plan.  
See **Exhibit 4**, P&Z minutes.

need for a school. It's difficult to answer that at this time because Staff has not seen a formal submittal.

**Chairman Horsman** said that we have a motion to adopt Mr. Bey's generalized language. He said a more generalized language without notice would cause problems down the line. He said he intended to vote no on this and he called for the vote. The motion failed with a vote of 1 to 6.

**Mr. Gelzer** moved to adopt the 2 to 4 designation for section 22 and the residential portion of section 23 and incorporate Mr. Wood's revised language for this property. "Notwithstanding any applicable residential land designation described in the General Plan, the actual residential densities which may be approved under any zoning application shall not exceed 2 dwelling units per acre within one-half mile of critical noise contours, (i.e., the 1998 65 DLN line) (the "Luke Buffer Zone"); provided that to the extent any approved zoning density within the Luke Buffer Zone is less than two dwelling units per acre, the City Council may, but not be obligated to, approve a transfer of densities to those *properties* that are located outside the Luke Buffer Zone." **Mr. de Broekert** seconded the motion. The motion carried with a vote of 7 to 0.

 Mr. Krauss suggested a continuance due to the late hour. **Chairman Horsman** said we have 10 items left. It was decided to continue due to applicants that have stayed and would like to see this moved forward.

Mr. Kugler said that items 9, 10, and 11 refer to determining the appropriate level of commercial acreage at the corners of Cotton Lane and Yuma Roads within the Canyon Trails Master Plan. Vestar desires to expand the commercial opportunities on the northeast corner from 30 to 94 acres, on the southeast corner from 10 to 48 acres, and limit the northwest corner to 20 acres. Mr. DeRito, owner of the northwest corner, has since provided a letter to Staff voicing his objection to limiting the commercial designation to 20 acres at the northwest corner. This would have to be reflected by an amendment to the Canyon Trails Master Plan to allow Staff, Commission, and Council to review it.

Donna Allen, 16632 W. Magnolia St., said that if the commercial zoning at the southeast corner of Cotton Lane and Yuma Road are expanded to 48 acres it would come up to Vanderbilt Farms' one acre lots. She said a huge commercial zone with no buffering is incompatible with rural residential. Ms. Allen listed the policies that she felt had not been considered in expanding this area (B2a, B2b, and B2c).

Mr. Kugler responded that the southeast corner Cotton Lane and Yuma Road would not touch the Vanderbilt Farms subdivision.

Steve Earle, 3101 N. Central, Phoenix, on behalf of DeRito Partners, said that the northwest corner is completely surrounded by Canyon Trails and it is its own buffer. He said that 12,000 units have already been platted in a two-mile radius of this corner. There

will be 42,000 people within a two-mile radius around this intersection. This will be a commercial corridor. He added that with a maximum of 48 acres, you can work with this in the zoning process.

Marty DeRito, 300 E. Camelback #175, Phoenix, said the northwest corner is in escrow to develop a shopping center. He said the northeast and southeast corners are properties Vestar may be purchasing but do not own at this time. Mr. DeRito has attended three public meetings, while Vestar has not attended any of the public meetings. He said they chose this corner because it is a going home corner. Mr. DeRito said he is excited about working in the City of Goodyear.

**Mr. Trinh** moved to approve Errata sheets #9, 10, and 11 adding to expand to 48 acres on #10 and #11. **Mr. Gelzer** seconded the motion. The motion carried with a vote of 7 to 0.

Errata sheet #15 is the amendment to the Sunchase Estrella Mountain Area Plan. Mr. Kugler said that staff and consultants met with Sunchase and reviewed issues requiring clarity. The addition of 1400 acres are now included in the Master Plan and were formal "out" parcels and includes 720 new acres purchased on the Ocotillo Road alignment at Estrella Mt. Ranch's east side. Circulation issues were addressed. With regard to the open space issue, there will be a minimum of 15% open space within respective areas and it is duly noted upon the table provided.

Ed Bull, 702 E. Osborne, Sunchase Estrella, said we appreciate the GPAC's recommendation and hope the Commission will support and agree with their recommendation.

**Ms. Osborne** said that there is the 303 is not shown on the plan. Mr. Bull responded that they felt there was a probability that the 303 would not be going through Estrella Mt. Ranch. He said they have provided opportunities for connections to it.

**Mr. Trinh** moved to approve Errata sheet #15. **Mr. Gelzer** seconded the motion. The motion carried with a vote of 7 to 0.

Errata sheets #45, 46, and 141 refer to the Goodyear Phoenix Airport and 65 DNL lines. The issue was discussed at length and it was determined by the GPAC to use the 65 DNL line for the Phoenix Goodyear Airport for consistency with Luke AFB. **Ms. Osborne** questioned the need to change this with future airport growth. **Chairman Horsman** explained that the lines may be moved out but the noise levels identified with that line will not change.

**Mr. Trinh** moved to approve errata sheets #45, 46, and 141 as recommended by the GPAC at 65 DNL. **Mr. Gelzer** seconded the motion. The motion carried with a vote of 7 to 0.



5. May 12, 2003: Vestar unveils its plan for regional commercial at the NEC of Cotton Lane and Yuma Road at the meeting of the City Council related to the update of the General Plan.  
See **Exhibit 5**, minutes of Council Meeting.

- It is important to decrease by 20 decibels
- Perception is important-perception without real substance is not fair
- The 60 DNL is comparable to a conversation between two people

Vice Mayor Cavanaugh: Would the City of Phoenix support 60 DNL?

Cornwall: We will not oppose it, but we won't stand up and support it; would need to have stipulations.

Errata #9,10,11 Vestar/DeRito Commercial at the intersection of Cotton Lane and Yuma:

Kugler reviewed:

- Vestar - expand to 94 acres of Regional Commercial. Concept is supported, master plan amendment required. (NEC-Yuma Rd./Cotton Lane, approximately 30 acres of Community Commercial.)
- Vestar - expand to 48 acres of Regional Commercial (SEC-Yuma Rd/Cotton Lane, approximately 10 acres of Community Commercial.)
- Vestar-expand to 48 acres of Regional Commercial (NWC-Yuma Rd/Cotton Lane, approximately 30 acres of Community Commercial.)

Staff's position is to take a bigger look at Canyon Trails Master Plan

- Need to determine the compatibility
- Would like to see a Plan Amendment

Linney: Does Staff support the commercial at four corners?

Kugler:

- Needs more research
- Increased commercial is supported
- Within the larger master plan have the developer come back and amend the map

Earl/DeRito Partners:

- Built shopping centers all over
- Has the property in escrow
- Bottom line: DeRito's property has up to 40 acres and we feel it is appropriate to have commercial here, the intersection of two major streets

- Each of these property owners will come in and show a zoning plan
- Each of these three corners is a viable corner (commercial). Not saying anything against the Vestar property, just want an opportunity

Marty DeRito, shopping center developer:

- We also developed 3 million square feet and 125 shopping centers in Phoenix
- My partners are committed to the marketplace and developing shopping centers
- Want to develop and increase to less than 50 acres
- Vestar is not even in escrow and they want to limit DeRito to 20 acres and increase their own commercial property
- Am fine with Vestar to develop what they want
- Keep in mind if commercial zoning is allowed on the corner and if you go with 2 corners, we want to be on northwest
- Vestar should not have a monopoly

Diane Allen, 16632 W. Magnolia St.:

- Would not like to see increase on any of these corners
- Horse property within ½ mile of both corners-Don't know how it can be buffered
- This is going to cause problems with residents in this area
- Make it country stores and all residents would benefit
- A shopping mall will be a problem

Anderson:

- Reiterate Kugler's position
- Support the existing master plan
- No increase, because we don't know what is the best corner
- The key is changes to the area have to be sorted out
- Master Plan was just done 4 years ago and there is new information available

Sousa: Are we in a position to make a decision based on one developer having property in escrow and one who hasn't made a decision?

Anderson: We think it is appropriate to stick with the Master Plan adopted four years ago

- The Canyon Trails developer would come in and show how much commercial is needed on each corner and what is saturation
- We can't say what is appropriate for the corner

Bruce Hilby, representing selling entities of Canyon Trails community: (Referred to a map.)

- DeRito site NW corner-Currently zoned 21 acres and wants to take to 46 acres
- Vestar wants to develop 94 acres
- Vestar is close to zoning and will be entering into escrow

Linney: Will growth in the area support commercial areas?

Hilby remarked:

- Cannot say; DeRito and Vestar feels there is
- There are two separate ownerships
- Comes down to planning decisions for the City

Cleveland: Is this a major or minor amendment? Anything that happens now is subject to current plan. The current Goodyear Master Plan can be amended through the current General Plan.

Errata #64 I-10 reliever along the Broadway Road alignment.

Kugler said this refers to establishing a high capacity corridor.

- Need to identify this corridor in conjunction with higher traffic areas
- Surface transportation
- Planning & Zoning Commission is in favor of recommending this to Council

Vice Mayor Cavanaugh: Why is there a reluctance to go with the F corridor? In the absence of more technical information from McDOT (Maricopa County Department of Transportation), alternative corridors were discussed. Staff will bring more information on the 27<sup>th</sup> of May.

Linney: If I was a developer and I had long range plans, how would I plan my development? Without a line on the map, how do I know where I put my development? Do I need to have a big swath?

Ed Bull, representing SunChase: This is the same Estrella Commerce Park discussed earlier.

- 580 acre parcel which has been on the back burner of the zoning for the past few years

6. June 16, 2003: City Council unanimously agrees at a special city council meeting to include 94 acres of regional commercial at the NEC of Cotton Lane and Yuma Road in the General Plan Update's Land Use. The purpose of this meeting was to vote on the various "errata" sheet items that were still at issue for the update to the General Plan. The entire General Plan Update was then unanimously approved by the City Council. See **Exhibit 6**, minutes of City Council meeting.

- Reiterate that we went to great pains to submit the land uses for this property
- Filed approximately 2 years ago a Planned Area Development ("PAD"), that is pending for that property
- Feels this is a change not expected
- Is not in the flood plain and is compatible with surrounding uses

G. Anderson-Not currently in the study project of the El Rio project

**Antoniak**-Do we have good latitude in the PAD process to get rid of a zoning issue?

- Could still be compatible with El Rio plan

**Porter**-Agree with Cavalier and think too late in the process to make that change.

Motion defeated by (1-6) vote.

**Antoniak**-Why aren't we doing the high intensity corridor on the 303 and on the Estrella Parkway?

G. Anderson responding:

- The 303, between where the alignment moves off of Cotton Lane and other considerations including some areas that are not in the City
- Did not put the mixed use in that corridor
- Estrella is a designated parkway from Indian School to the extremities of Estrella Mountain Ranch master plan

**Errata # 9, 10, 11** - Vestar letter and subsequent DeRito partners letter to establish appropriate commercial acreage at the intersection of Cotton Lane and Yuma Road. Vestar desires to expand existing commercial and establish 94 acres on the northwest corner and 48 acres on the southeast corner and limit the northwest corner to 20 acres. Mr. DeRito, owning the northwest corner desires 48 acres of commercial as well. The Planning Commission recommended the larger acreage on all three corners.

MOTION BY VICE MAYOR SOUSA SECOND BY LINNEY TO INCLUDE COMMERCIAL LAND USE DESIGNATIONS AT CORNER AT COTTON LANE & YUMA, AS PER THE AGREEMENT REACHED BY DeRITO, VESTAR PARTNERS AND EXISTING PROPERTY OWNERS, Passed By (7-0) Vote.

MOTION BY SCOTT, SECOND BY ANTONIAK TO APPROVE ALL OTHER ERRATA SHEET ITEMS (CONSENT STYLE) AS RECOMMENDED BY PLANNING COMMISSION, Passed By (7-0) Vote.

MOTION BY SCOTT, SECOND BY CAVALIER TO DIRECT STAFF TO PREPARE A NEW GENERAL PLAN UPDATE 2003-2013 DOCUMENT, WHICH REFLECTS ACTIONS TAKEN TONIGHT AND BRING BACK TO CITY COUNCIL AT THEIR JULY 7, 2003 MEETING FOR FINAL ADOPTION, Passed By (7-0) Vote.

**9.E. (03-1755) RESOLUTION 03-870 ADOPTING TENTATIVE ESTIMATES FOR PUBLIC EXPENSES**

Joe Pizzillo presented:

- Tentative budget when adopted will not allow the final budget to be higher
- Tentative budget reflects the upper limits of the budget

Clerk Cockrum read Resolution 03-870 by title only.

MOTION BY SCOTT, SECOND BY VICE MAYOR SOUSA, TO ADOPT RESOLUTION 03-870 ADOPTING THE TENTATIVE ESTIMATES OF THE AMOUNTS REQUIRED FOR THE PUBLIC EXPENSE FOR THE PUBLIC EXPENSE FOR THE CITY OF GOODYEAR FOR THE FISCAL YEAR 2003-04 ADOPTING A TENTATIVE BUDGET; SETTING FORTH THE RECEIPTS AND THE AMOUNTS ESTIMATED AS COLLECTIBLE FOR THE PREVIOUS FISCAL YEAR; THE AMOUNT PROPOSED TO BE RAISED BY DIRECT PROPERTY TAXATION FOR THE VARIOUS PURPOSES; GIVING NOTICE OF THE TIME FOR HEARING TAXPAYERS; FOR ADOPTING OF BUDGET AND FIXING THE TAX LEVIES. (PROPOSED TENTATIVE BUDGET FOR FY 2003-04 \$127,542,561.)

*Discussion ensued on Parks-Dog, Proposed Estrella Mountain Ranch Park, Regional Parks*

**Vice Mayor Sousa:**

- Offered brief bonding capacity comments
- Dog Parks-Would like to have serious consideration be given to dog parks and facilities for Little League for Estrella Mountain Ranch
- Would like to discuss topic at the Council Advance, if possible.

**Linney:**

- Plans to bring a proposal during Council Advance which will utilize the parking lot and other sports activities
- Can we move monies around if they are approved in budget?

**Pizzillo-\$200,000 discussion**

- To be offset by all outside monies

7. July 16, 2003: Planning and Zoning Commission unanimously approves Taylor Woodrow's pre plat for Parcels 3B-J, located just across the trail from the recently (General Plan Update) approved regional commercial site at the NEC of Cotton Lane and Yuma Road.  
See **Exhibit 7**, minutes of the P&Z meeting.



see the light in your home, but if you look outside you will see it. **Ms. Osborne** asked if it would light the back yard. Mr. Happ responded that a fraction of a foot-candle (1.1 or 1.2). He said a full moon is .03. **Ms. Osborne** asked if there is a curfew. Ms. Keith responded that she thought the curfew is 10:00 P.M. Ms. Keith said Mr. Happ also recommended an inspection to see if any adjustments are needed.

**Ms. Osborne** said that she would like Ms. Moncibacz to know that this is a needed facility in this City.

**Mr. Jones** added that the City has done everything to mitigate the light issue.

**Mr. Jones** asked if there were further comments or questions. Hearing none, he closed the public hearing.

**Mr. Bey** moved to approve Case SU-05-03. **Mr. Trinh** seconded the motion. The motion carried by a vote of 4 to 0.

- C. Case PS-02-03, Canyon Trails Unit 3, Parcels B-J Preliminary Plat - Request to approve the Preliminary Plat for Canyon Trails Unit 3, Parcels B-J subdividing 264.87 acres into 845 single-family residential lots, generally located east of Cotton Lane and west of Sarival Avenue between Van Buren Street and Yuma Road.**

**Applicant: Taylor Woodrow Homes**

**Recommendation:** Staff recommends approval for the Preliminary Plat for Canyon Trails Unit 3, Parcels B-J, subdividing 264.87 acres into 845 single-family residential lots, generally located east of Cotton Lane and west of Sarival Avenue between Van Buren Street and Yuma Road, subject to stipulations.

Mr. Widowski summarized the staff report. The overall residential density is 3.5 dwelling units per acre with a gross density of 3.2 dwelling units per acre. Access will be from Van Buren, Cotton Lane, and Yuma Road. The court home parcel northwest of the subdivision is not part of the plat at this time and is not calculated into the acreage. There is a 10-acre school and a 5-acre park site. There is approximately 20% open space. A minimum of 15% open space is required per phase. This 20% open space includes four tot lots. The park site will have volleyball and softball/soccer fields. Staff is recommending an addition to Stipulation #1 by adding "...the plat shall comply with the Subdivision Ordinance and all other applicable codes and ordinances "and in accordance with the Canyon Trails Development Agreement recorded August 18, 1999".

**Ms. Osborne** said she did not see conformance with the City Design Guidelines stipulated. Mr. Widowski responded that Canyon Trails have their own design guidelines. **Ms. Osborne** asked what percentage of open space would be water retention areas. Mr. Widowski said the actual numbers are on the preliminary plat. A minimum 20% is required to be high and dry. The plat is showing 7.65 acres are high and dry. **Ms.**

**Osborne** asked if the school park is high and dry. **Mr. Widowski** answered that a portion of the park is, but not all of it. **Ms. Osborne** asked if they would be submitting a Special Use Application for the school. **Mr. Widowski** responded that it is required by the Zoning Ordinance.

Kelly House, 6710 N. Scottsdale Road, Scottsdale, said that Taylor Woodrow Homes is not new to the Valley. They have completed 700 acres of master planned communities in Surprise, 300 acres in Glendale, and 300 acres in Chandler, 150 acres in Gilbert, and 80 lots in Cotton Flower. He said they would not be a single builder in this community. He said they are a publicly owned international homebuilder with their base in the UK.

**Mr. House** said this residential community has extensive open space (20%), with over 23,000 feet of trails, a park site, and increased activity nodes. He said retention basins would bleed off into the channels. There are four different lot sizes. There has been a reallocation of retail and commercial within the PAD. Adequate buffers with the channels and retention basins will also change the overall character of the area. There will be a water storage and booster station in the northern portion of the Canyon Trails development and they are working with developer on a future sewer facility.

**Mr. Bey** asked about a future collector freeway down Cotton Lane. **Mr. House** said they do not front on Cotton Lane. **Mr. House** said the amount of trails and open space is remarkable and comparable to the future Bullard Wash.

**Mr. Jones** commended the applicant and the developer for the extensive trails system and the connectivity.

**Ms. Osborne** asked if the school would be K-6 or K-8. **Mr. House** said that **Dr. Stafford** indicated they have done both but he believed it would be K-6, adding that she is keeping the option open.

**Ms. Osborne** asked if there would be a new style of home designs. **Mr. House** said there would be different builders in the community and he did not envision any radical departure. **Mr. Jones** suggested **Mr. House** look at the City Design Guidelines, adding that Staff has worked hard on them. **Mr. House** said they had processed new plans in Gilbert and Chandler and would not do much different than what they are doing there.

**Mr. Trinh** moved to approve Case PS-02-03. **Ms. Osborne** seconded the motion. The motion carried by a vote of 4 to 0.

#### **Public Comments**

There were no public comments

#### **Staff Communications**

##### **A. Status Report on the General Plan Update**

Mr. Kugler provided a status report on the General Plan Update. City Council unanimously adopted the final draft at the July 7, 2003 meeting. Staff are working on final changes and modifications to the document to have it ready to send to the printer for the last time. Ballot language has been drafted for the November 4, 2003 election. An advertisement was sent the West Valley View. A publicity pamphlet is being drafted and will be mailed to voters 50 days prior to the election. Citizens will have until 5:00 P.M. on August 6, 2003 to submit comments for or against the General Plan. This will be noted on the publicity pamphlet.

**B. Status Report on the Special Use Permit for a Crematory**

Mr. Widowski provided a status report on the Special Use Permit for a Crematory. The City Council met on June 23, 2003, where the case was denied by a vote of 7 to 0. Mr. Widowski said that neighbors did a valiant job of getting awareness out. The applicant is not planning on resubmitting at this time.

**Adjournment**

**Mr. Trinh** moved to adjourn at 10:32 P.M. **Mr. Bey** seconded the motion. The motion carried by a vote of 4 to 0.

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Chairman

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Commission Secretary

8. September 22, 2003: At 10:00AM, Mayor Cavanaugh and Grant Anderson meet with Bruce Hilby who alerted them to the fact that the Vestar site had been incorrectly shown on the land use map of the General Plan Update as "community commercial". Mayor Cavanaugh instructs Grant to correct this to show the site as Regional Commercial. Grant then meets with Kevin Kuglar in Community Development and instructs him to have the map changed before it is mailed to the voters. See **Exhibit 8**, Bruce Hilby's Daytimer notes.

HOURS	FOR	SUBJECT • DESCRIPTION OF SERVICES	TIME HRS. 1/10
8		Michael Martindale - Fire Station 602 owners \$1.8 m / station 1 truck + OXM \$317 / hour	
9		10:00 AM Met with Mayor Cavanaugh + Asst City Mgr Grant Anderson Re: mistakes on land use map:	
10		1. North 40 of West <u>should</u> be 2-4 units/acre 2. East corners at Quiver + Cotton Lane <u>should</u> be <u>Regional</u> <u>Commercial</u> vs <u>Community</u> <u>Commercial</u> .	
11		They agreed.	
12		Guy Inzaldo → re: <u>WASU</u> <u>NATHAN</u> done lots of <u>DEM</u> <u>SWAPS</u> Col. Saragat called him 3 yrs ago re: <u>SWAMP</u> did <u>HELL'S</u> <u>REB</u> <u>EXCHANGE</u> develops in <u>LAS</u> <u>VEGAS</u> Lives between here + <u>LAS</u> <u>VEGAS</u> "captured <u>LAND</u> <u>EXCHANGE</u> <u>MARKET</u> " in <u>LAS</u> <u>VEGAS</u> 10-12 deals in '15 yrs land dev + land investment. Trying to do deals here owns home builder - <u>SW</u> <u>HOMES</u> ( <u>LAS</u> <u>VEGAS</u> ) 700 homes 2002 old working on <u>LIKE</u> <u>REB</u> <u>EXCHANGE</u> - <u>WARD</u> <u>OF</u> <u>ME</u> DiConcini Aid - spec. Asst.	(702) 220-6565 (C) (480) 451-3301 (C) (702) 610-8878 (C)
1			
2			
3			
4			
5			



9. September 22, 2003: At 6:00 PM, the City Council approves Taylor Woodrow's pre plat for Parcels 3B-J, showing the school site immediately across the trail from the regional commercial site approved in the General Plan Update.

See **Exhibit 9**, approved Taylor Woodrow pre plat map.



## COUNCIL ACTION SUMMARY

*A Community Out Reach Program*

*From the Regular Meeting of September 22, 2003*

### Action Taken

- 8.A. (03-1823) Council approved a Special Use Permit to allow for the construction of a church on approximately 4.87 acres located on the south side of Thomas Road, 795 feet west of Dysart Road, subject to stipulations.
- 8.B. (03-1863) Council adopted RESOLUTION NO. 03-891, AUTHORIZING THE MAYOR TO EXECUTE AN EIGHTH INTERGOVERNMENTAL AGREEMENT PROVIDING FOR JOINT LEGAL REPRESENTATION IN SETTLEMENT AND NEGOTIATION EFFORTS RELATING TO CAWCD vs. United States, et. al., and ALSO RELATING TO A LEASE OF WATER RIGHTS FROM THE GILA RIVER INDIAN AND AUTHORIZING THE MAYOR TO SIGN A CONTRACT FOR LEGAL REPRESENTATION REGARDING SUCH ISSUES.
- 8.C. (03-1869) Council adopted ORDINANCE 03-867, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GOODYEAR, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THE VAN BUREN STREET RIGHT-OF-WAY FROM ESTRELLA PARKWAY TO SARIVAL AVENUE WHICH IS CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF GOODYEAR.
- 8.D. (03-1870) Council adopted ORDINANCE 03-868, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GOODYEAR, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THE YUMA ROAD RIGHT-OF-WAY FROM SARIVAL AVENUE TO 175<sup>TH</sup> AVENUE WHICH IS CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF GOODYEAR.
- 8.E. (03-1871) Council adopted ORDINANCE 03-869, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GOODYEAR, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THE McDOWELL ROAD RIGHT-OF-WAY FROM PEBBLECREEK PARKWAY TO LOOP 303 WHICH IS CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF GOODYEAR.
- 8.F. (03-1872) Council adopted ORDINANCE 03-870, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF GOODYEAR, MARICOPA COUNTY, STATE OF ARIZONA, PURSUANT TO THE PROVISIONS OF TITLE 9, CHAPTER 4, ARTICLE 7, ARIZONA REVISED STATUTES AND AMENDMENTS THERETO, BY ANNEXING THE SARIVAL AVENUE RIGHT-OF-WAY FROM McDOWELL ROAD TO MC85 WHICH IS CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF GOODYEAR.
- 8.G. (03-1876) Council adopted ORDINANCE 03-872, CONDITIONALLY ADOPTING ORDINANCE NO. 03-872 AND SUPPLEMENTAL MAP NO. 02-163 PROVIDING FOR GENERAL COMMERCIAL (C-2) ZONING ON 7.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MCDOWELL ROAD 1/2 MILE WEST OF CITRUS ROAD AND WEST OF CANADA VILLAGE; PROVIDING SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.
- 8.H. (03-1877) Council approved a Special Use Permit (SU-06-02) to allow for mini storage units to be permitted in General Commercial (C-2) zoning district on 7.28 acres generally located on the south side of McDowell Road 1/2 mile west of Citrus Road and immediately west of Canada Village, subject to stipulations.

City Clerk's Office 190 N. Litchfield Road, Goodyear, AZ 85338 (623) 882-7830

This is a representation of the Council Meeting. Full Minutes are available in the Clerk's Office within 72 hours of the meeting

(03-1888) Council approved a request from Ian Ablitt for an Extension of Premises/Patio permit for October 10<sup>th</sup>, 11<sup>th</sup>, and 12<sup>th</sup>, 2003 to be used for an Agua Fria High School Class Reunion at Drivers Sports Grill, 14175 W. Indian School, Goodyear.

8.J. (03-1882) Council approved a Special Use Permit to allow for a T-Mobile wireless communication monopole and antennae (replacing an existing driving range net-support pole) at the Palm Valley Golf Practice Facility generally located at the northwest corner of Litchfield and McDowell Roads, subject to stipulations.

9.A. (03-1878) Council conducted a public hearing to consider a Use Permit for the purpose of allowing a childcare facility on the premises of Compass Church generally located on the northeast corner of Van Buren Street and 161<sup>st</sup> Avenue and Council approved the Use Permit allowing for the childcare facility on the premises of Compass Church, subject to stipulations.

9.B. (03-1845) Council approved the Preliminary Plat for Canyon Trails, Unit 3 Parcels B-J, subdividing approximately 264.87 acres into 845 single-family residential lots generally located east of Cotton Lane and west of Sarival Avenue between Van Buren Street and Yuma Road, subject to stipulations.

9.C. (03-1824) Council approved a request for a Special Use Permit for an elementary school and ballpark lighting, subject to stipulations. (20.35 acres generally located at the northeast corner of 144th Avenue and Thomas Road within Phase II of Palm Valley)

9.D. (03-1881) Council approved a Special Use Permit for a Tutor Time Day Care facility on 1.61 acres north and west of the northwest corner of McDowell and Dysart Roads within the Palm Valley Cornerstone North mixed use commercial center.

9.E. (03-1880) Council accepted ORDINANCE 03-873, PROVIDING FOR CONDITIONAL REZONING OF 84.6 ACRES OF PROPERTY FROM THE PLANNED AREA DEVELOPMENT (PAD) MIXED USES ZONING DISTRICT TO PLANNED AREA DEVELOPMENT (PAD) MIXED USES; AMENDING SUPPLEMENTARY ZONING MAP NO. 03-173 TO PROVIDE FOR THE CHANGE IN ZONING; PROVIDING SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (generally located between the RID Canal to McDowell Road, between Bullard Avenue and Litchfield Road)

9.F. (03-1808) Council adopted RESOLUTION 03-892, APPROVING A DEVELOPMENT AGREEMENT WITH BYRD ENTERPRISES OF ARIZONA, AN ARIZONA CORPORATION, FOR DEVELOPING AN 80-ROOM HOTEL ON 2 ACRES OF LAND GENERALLY LOCATED IMMEDIATELY NORTH OF THE HAMPTON INN, APPROXIMATELY 1/4 MILE NORTH OF MCDOWELL ROAD ON LITCHFIELD ROAD WITHIN THE CITY OF GOODYEAR; AND PROVIDING FOR AN EFFECTIVE DATE.

9.G. (03-1879) Council denied ORDINANCE 03-874, PROVIDING FOR REZONING OF 5.8 NET ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF 137<sup>TH</sup> AVENUE AND AUTO DRIVE FROM THE PLANNED AREA DEVELOPMENT (PAD) LIGHT INDUSTRIAL ZONING DISTRICT TO PLANNED AREA DEVELOPMENT (PAD) COMMERCIAL; AMENDING SUPPLEMENTARY ZONING MAP NO. 03-167 TO PROVIDE FOR THE CHANGE IN ZONING; PROVIDING SEPARABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (to be developed as an entertainment facility, "Goodyear Live).

**Goodyear City Council**

- Mayor Cavanaugh (623) 535-9400
- Vice Mayor Sousa (623) 935-7655
- Ken Porter (623) 536-2190
- Frank Cavalier (623) 386-6342
- Sue Linney (523) 935-0431
- Rob Antoniak (623) 386-2484
- Scott (623) 536-1004

**Future Meetings...**

10/6/03 Worksession 5:00 PM Justice Facility

10/14/03\* Regular Meeting 7:00 PM Justice Facility

10/20/03 Worksession 5:00 PM Justice Facility

10/27/03 Regular Meeting 6:00 PM Justice Facility

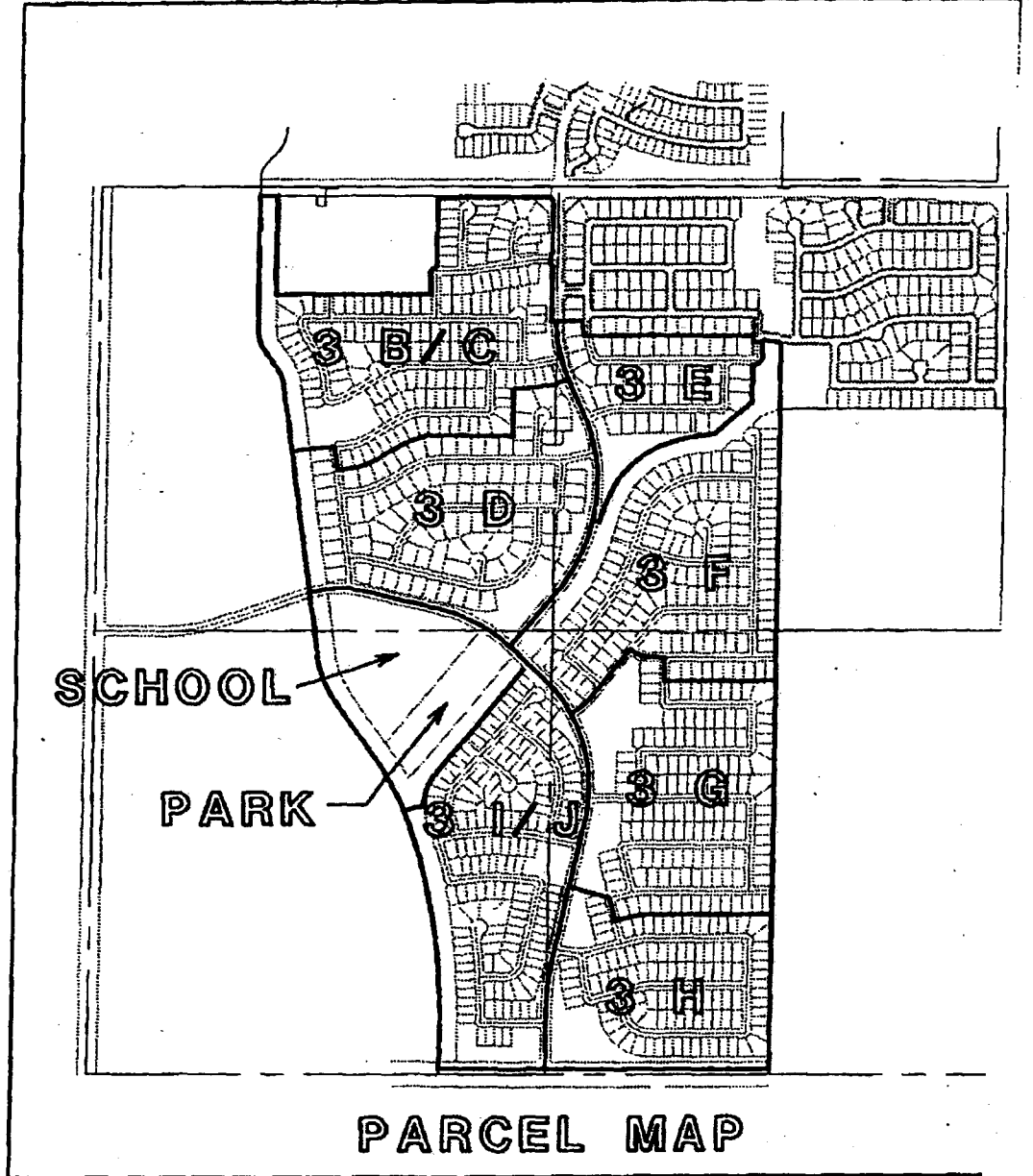
\* Tuesday night meeting due to Columbus Day

**City Clerk's Office 190 N. Litchfield Road, Goodyear, AZ 85338 (623) 882-7830**

This is a representation of the Council Meeting. Full Minutes are available in the Clerk's Office within 72 hours of the meeting



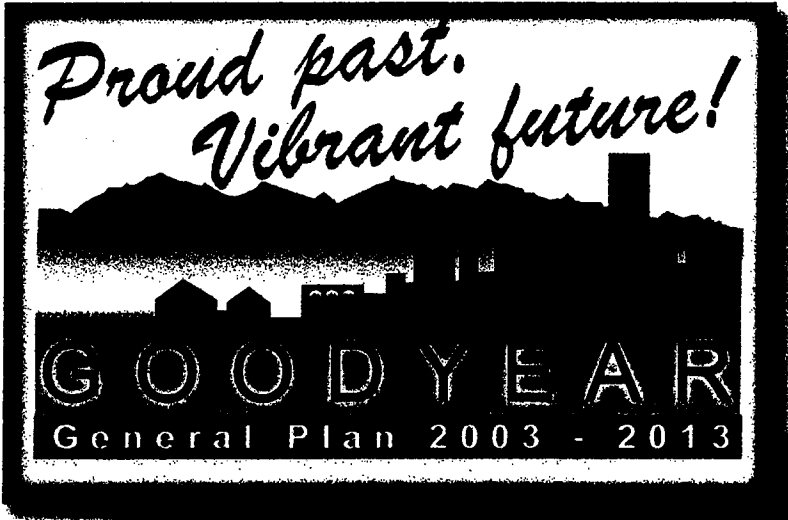
TAYLOR WOODROW PRE PLAT



PARCEL MAP

APPROVED SEPT. 22, 2003

10. November 4, 2003: Voters of Goodyear ratify the General Plan Update which shows regional commercial at the NEC of Yuma and Cotton Lane. See **Exhibit 10**, Update to General Plan cover.



**URS**

**RATIFIED BY THE CITIZENS OF GOODYEAR ON NOVEMBER 4, 2003**

11. April 20, 2004: Taylor Woodrow executives work with Grant Anderson, Harvey Krauss, and Cathy Stafford (Superintendent of Avondale Elementary School District) to revise school site layout to improve drop off and pick up of kids area. School site is located south of Canyon Trails Blvd immediately east of the trail which forms the eastern edge of the (General Plan Update) approved regional commercial site. See **Exhibit 11**, e-mail and attachments from Kelly House, President of Taylor Woodrow, to Cathy Stafford, Superintendent of Avondale Elementary School District.

Subj: **FW: Canyon Trails Park / School Site Plan**  
Date: 4/20/2004 1:26:06 PM Pacific Daylight Time  
From: [Kelly.House@us.taylorwoodrow.com](mailto:Kelly.House@us.taylorwoodrow.com)  
To: [brucethilby@aol.com](mailto:brucethilby@aol.com)

-----Original Message-----

**From:** Kelly, House  
**Sent:** Tuesday, April 20, 2004 1:26 PM  
**To:** 'cstaff@avondale.k12.az.us'  
**Subject:** FW: Canyon Trails Park / School Site Plan

Dr. Stafford, I have asked CVL to make some very minor adjustments to public park area on the "amended" layout and then email to you and your architect. I have a meeting scheduled tomorrow morning at 8:30 am with Harvey and then also another one with Grant on Thursday. As we discussed I would like to have your approval letter to accompany these sketches, please call me to discuss further. Thank you, Kelly

-----Original Message-----

**From:** Earl Swetland [mailto:[Eswetland@cvlci.com](mailto:Eswetland@cvlci.com)]  
**Sent:** Tuesday, April 20, 2004 1:01 PM  
**To:** Kelly House  
**Subject:** Canyon Trails Park / School Site Plan

Kelly - please review the attached files and let me know if I can send these to the Architect. How many copies to you want and what size?.

Thanks,  
<<ls-option2.pdf>> <<ls-option1.pdf>>  
Earl J. Swetland, R.L.A.  
Director, Associate



Coe and Van Loo Consultants  
4550 North 12th Street  
Phoenix, AZ 85014-4291

Phone: (602) 264-6831  
Direct Line: (602) 285-4720  
Fax: (602) 285-4721

Email: [Eswetland@cvlci.com](mailto:Eswetland@cvlci.com)

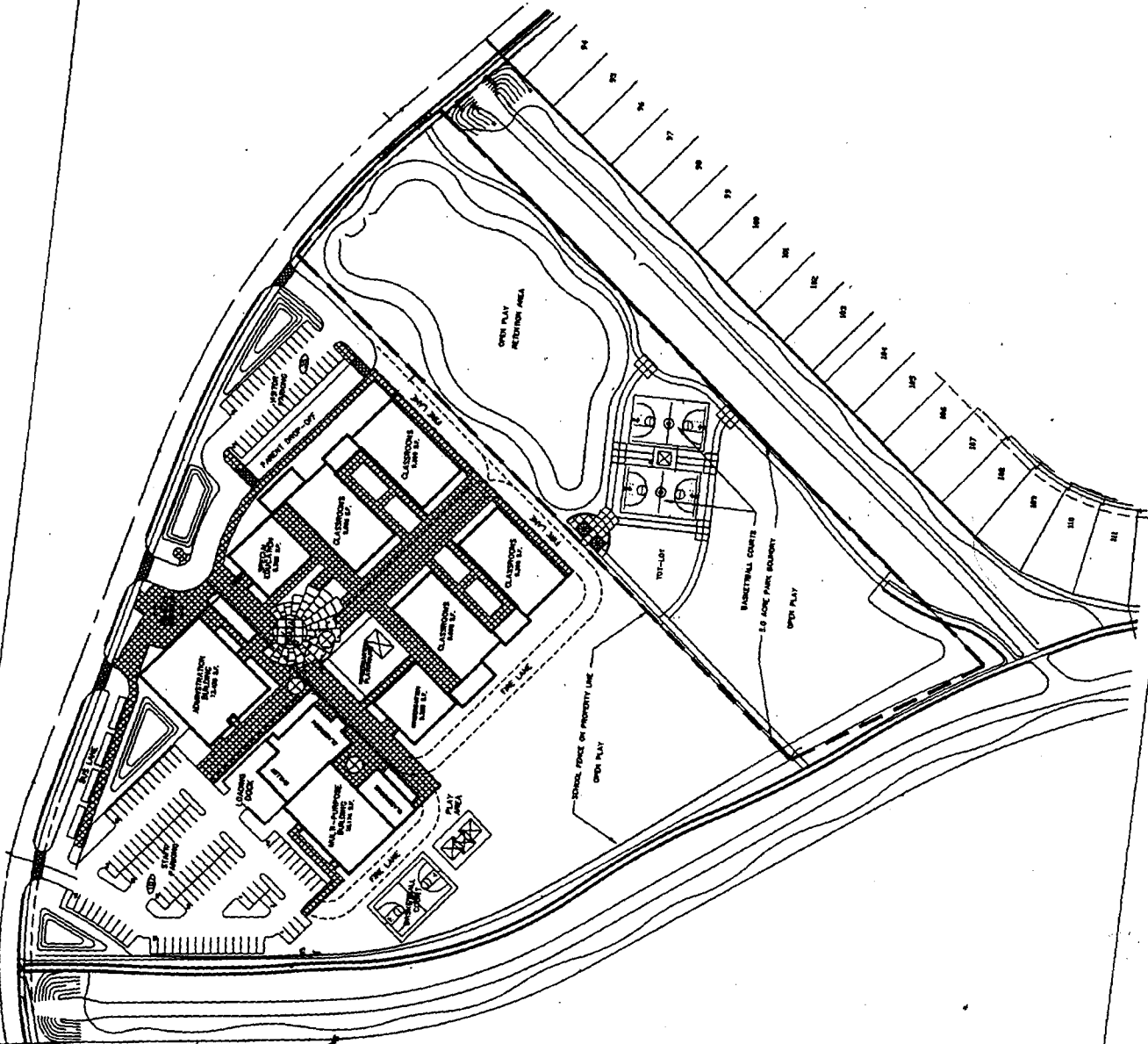
CANYON TRAILS  
SCHOOL / PARK SITE PLAN  
EXISTING LAYOUT



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SCALE: 1"=80'-0"



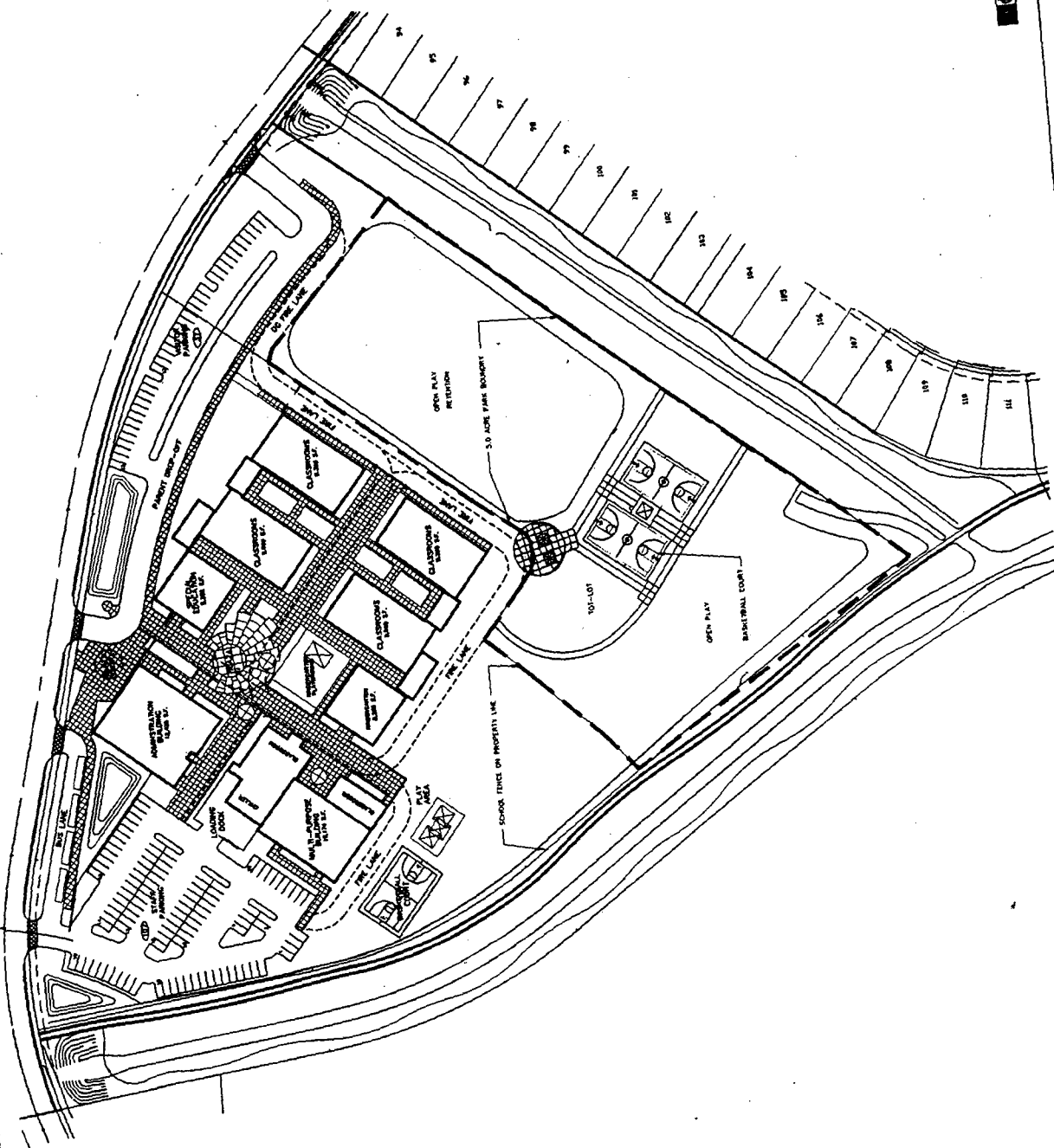
COE & VAN LOO CONSULTANTS INC.



100'

L. SCARPE  
ACCESS RD

CANYON TRAILS  
SCHOOL / PARK SITE PLAN  
ALTERNATE LAYOUT



0' 5' 10' 15'  
SCALE: 1"=60'-0"

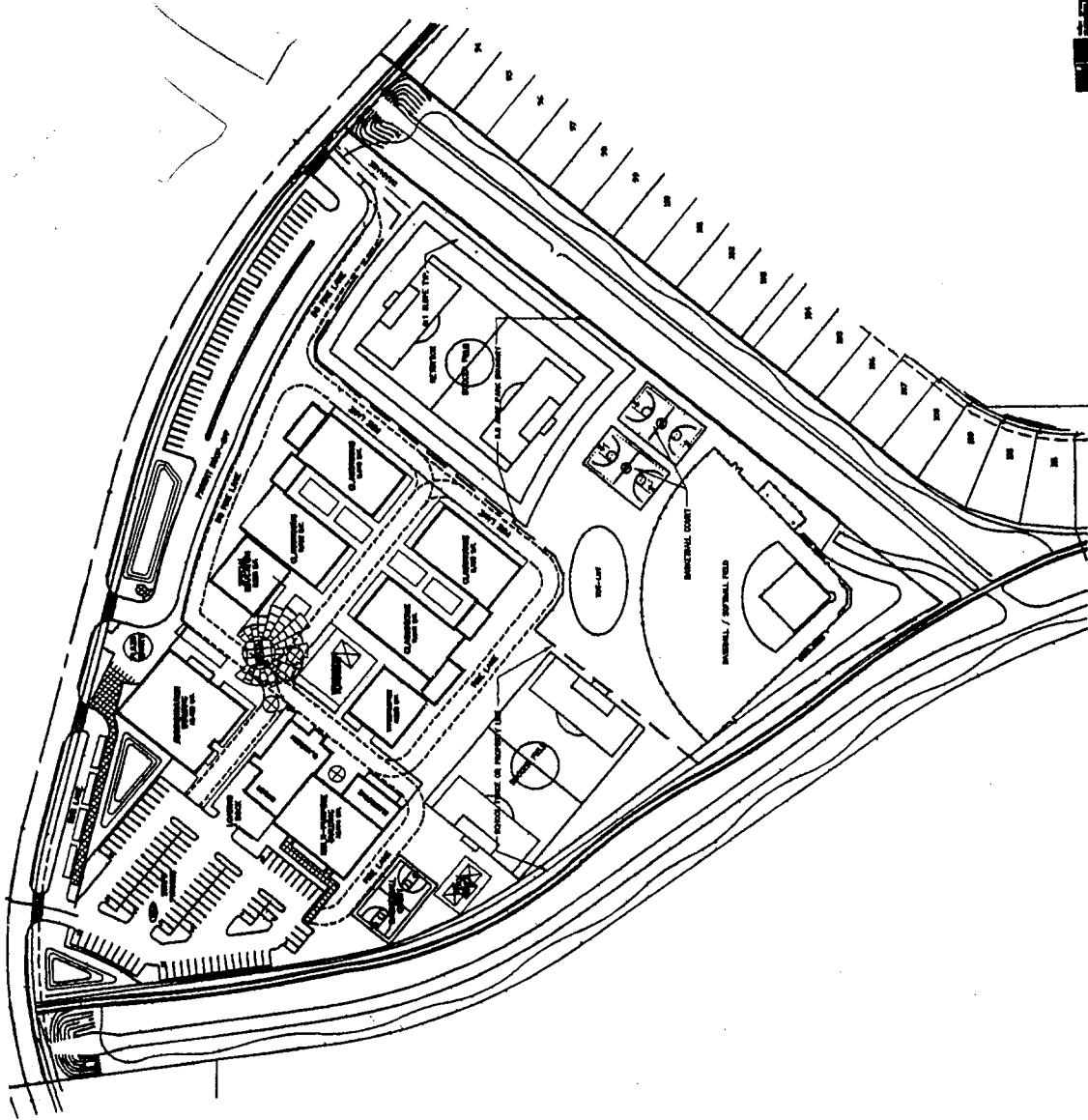


COE & VAN LOO CONSULTANTS INC.



CANYON TRAILS  
SCHOOL / PARK SITE PLAN  
AMENDED LAYOUT

4-22-04



C.C. & V.V. CONSULTANTS INC.





12. May 10, 2004: City Council approves Taylor Woodrow's final plat for parcels 3B-J, including school site at Canyon Trails Blvd and trail. See **Exhibit 12**, minutes of City Council Meeting.

an annual deferral of \$3,000 from the current \$2,400.

- 8.O. (04-2103) Council approved a change in the City's current section 125 language to follow the new IRS ruling 2003-102. This allows the inclusion of certain over the counter medications when the over the counter medications are used for medical purposes.
- 8.P. (04-2104) Council authorized the expenditure of \$7,500 from the "Benefit Rate Stabilization Fund", to pay for an early detection as well as a health baseline testing and analysis for our employees.
- 8.Q. (04-2112) Council approved an increase in our municipal liability policy deductible from \$35,000 to \$75,000.
- 8.R. (04-2111) Council approved the establishment of a Liability Reserve Fund in the amount of \$140,000.
- 8.S. (04-2096) Council authorized the City Manager to execute an Agreement with Trend Homes to exchange 2,957.33 acre-feet (af) of Central Arizona Project (CAP) Long Term Storage (LTS) Credits for 8,872 acre-feet of extinguishment credits for the City's Assured Water Supply (AWS) groundwater account.
- 8.T. (04-2057) Council approved the Final Plat of Canyon Trails Unit 3 Parcel B/C, subdividing 43.4 acres into 158 single-family lots generally located on the southwest corner of West Van Buren Street and North 167th Avenue, subject to conditions.
- 8.U. (04-2058) Council approved the Final Plat of Canyon Trails Unit 3 Parcel D, subdividing 39.9 acres into 97 single-family lots generally located on the northwest corner of Canyon Trails Boulevard and South 167th Avenue, subject to conditions.
- 8.V. (04-2060) Council approved Final Plat of Canyon Trails Unit 3 Parcel F subdividing 44.2 acres into 150 single-family lots generally located on the northeast corner of Canyon Trails Boulevard and North 167<sup>th</sup> Avenue, subject to conditions.
- 8.W. (04-2061) Council approved the Final Plat of Canyon Trails Unit 3 Parcel G, subdividing 36.9 acres into 136 single-family lots generally located on the southeast corner of Canyon Trails Boulevard and South 166<sup>th</sup> Avenue, subject to conditions.
- 8.X. (04-2063) Council approved the Final Plat of Canyon Trails Unit 3 Parcel I/J subdividing 39.8 acres into 155 single-family lots generally located on the northwest corner of Canyon Trails Boulevard and West Yuma Road, subject to conditions.
- 8.Y. (04-2064) Council approved the Final Plat of Canyon Trails Unit 3 subdividing 270 acres into 9 tracts and dedicating arterial and collector roads to serve future subdivisions generally located between Van Buren Street and Yuma Road and between Sarival Avenue and Cotton Lane, subject to conditions.

- 8.Z. (04-2062) Council approved Final Plat of Canyon Trails Unit 3 Parcel H subdividing 29 acres into 106 single-family lots generally located on the northeast corner of Canyon Trails Boulevard and West Yuma Road, subject to conditions.
8. AA. (04-2059) Council approved the Final Plat of Canyon Trails Unit 3 Parcel E, subdividing 13.9 acres into 43 single-family lots generally located south of the southeast corner of West Van Buren Street and North 167<sup>th</sup> Avenue, subject conditions.

**BUSINESS**

**9. A. (04-2114) USE PERMIT FOR ARIZONA PUBLIC SERVICE COMPANY**

Porter declared a conflict of interest, as he is employed by APS, and left the dais at 6:24 pm.

Mayor Cavanaugh opened the Public Hearing at 6:25 pm.

Mayor Cavanaugh closed the Public Hearing at 6:46 pm.

MOTION BY ANTONIAK SECONDED BY LINNEY TO APPROVE THE USE PERMIT FOR AN ELECTRICAL SUBSTATION ON APPROXIMATELY 1.56 ACRES OF LAND GENERALLY LOCATED AT THE SOUTHEAST CORNER OF THE THOMAS ROAD ALIGNMENT AND PEBBLECREEK PARKWAY IN THE GOODYEAR PLANNED REGIONAL (GPR) DEVELOPMENT, SUBJECT TO 10 STIPULATIONS.

VOTE: PASSED UNANIMOUSLY (5-0)

Additional Stipulation Number 10: That no portion of the substation equipment, other than wires from overhead lines, extend above the height of the 10 foot high perimeter wall enclosing the substation site.

Brad Larson, APS, Construction Leader reported that the 12 foot kv line will be buried underground.

**Mayor's Summary:**

- Council appreciates staff for working hard to come up with this new plan.
- Job well done and pleased with the results.
- Thank you to PebbleCreek residents for due diligence.
- Complemented staff, APS and citizens. Thanked Councilmembers Scott and Linney for their work.
- Appearance has been resolved.

**City of Goodyear**  
**Special Meeting of the Planning and Zoning Commission**  
**April 6, 2005, Meeting Minutes**

**Review and Discussion of Case Z-17-04, Canyon Trails PAD Amendment** – Amendment to the existing Canyon Trails Planned Area Development (PAD) to amend 72 acres, generally located at the northeast corner of Cotton Lane and Yuma Road, from Planned Area Development (PAD) Residential to Planned Area Development (PAD) General Commercial to permit the development of a retail center called the Canyon Trails Towne Center. No action will be taken.

**Applicant: Ralph Pew, representing Vestar Development Company**

Mr. Careccia summarized the staff report for review and discussion only. Most of the Towne Center is surrounded by the Canyon Trails PAD. Unit 3, to the east, is residential and separated by a 100-foot drainage channel and trail system. CottonFlower is to the southwest and various commercial uses are to the south. There is a cluster of shops in the central portion as a main street development. There are free standing pads along Cotton Lane, and a car wash proposed south of Anchor 1. The site is 91 acres with approximately 899,880 square feet of building area.

The approved PAD was a mix of residential and commercial on the final development plan. This amendment would change the residential to commercial. The amendment also includes a sign package, design guidelines, and deviations to Zoning Ordinance standards for lighting, parking lot design, and building height. On April 20, 2005, the Commission will be conducting a public hearing on the PAD amendment and the Use Permit for the car wash.

**Chairman Horsman** asked if the public hearing on the PAD and the car wash will be on April 20, and the other uses will come later. Mr. Careccia responded that that is correct.

**Ms. Osborne** asked if the school site will still be appropriate here. Mr. Careccia said that there is still enough development to support it. **Ms. Osborne** asked if Dr. Stafford has been contacted regarding this. Mr. Careccia said that Avondale School District was not notified as a property owner. **Chairman Horsman** said that the entire project may have fewer children but there will still be plenty for the school. Mr. Careccia said that he was sure Dr. Stafford is aware that this will be commercial since it was a part of the General Plan Update process. **Mr. Laux** asked if we are going beyond what was consistent with the General Plan with this specific parcel and asked if this increases the commercial acreage. Mr. Careccia responded that the General Plan provides for significant regional commercial uses at this site.

**Mr. Bey** asked if the trail system will be incorporated into the project. He said he would like to see the community be able to access this center from the trail. Mr. Careccia said the final landscape plans for the subdivision are currently in review. According to the

plans there is no wall along the westbound corridor, and this will mesh into the Towne Center. There will be a permanent wall on the Towne Center property. There will be a larger buffer between commercial and residential. There is one point of access to the trail by Anchor 1. **Mr. Bey** asked if the plan reviewer reviews the entire channel. Mr. Careccia responded that they are reviewing the entire channel. **Mr. Bey** asked if it will be a flood channel and if there would be bridges over it. Mr. Careccia said that the channel is 100 feet wide. It will have elevated, meandering sidewalks with various locations of access from the subdivision.

**Chairman Horsman** asked if we could we have a cross section at the public hearing. **Mr. Bey** said that we have an opportunity to have frontal access from the trail system.

Michelle Dalke, Pew and Lake, 10 West Main, Mesa, AZ, said that they are here tonight to answer any questions.

**Mr. Laux** said that during the General Plan discussion, this project was to be potentially like Desert Ridge. He said that it seems to be laid out as a traditional strip mall.

David Malin, Vestar Development, 2425 E. Camelback Road, said that there is a trend to create something similar to Kierland Commons, to be able to drive through it, with angled parking and create a main street feel. **Mr. Bey** said that the anchor stores seem to be further away from the T-area and the drainage channel and the trail does not appear to be incorporated. He asked if those structures could be brought closer with some trail access and make better use of the open space on the backside. He suggested using the channel as an access point.

Mr. Malin said, with regard to the proximity of the specialty shop area to the majors, the majors require parking areas as shown. They require parking in front of the boxes and they don't want buildings in their view corridor. The development book shows a cross section of the trail system and how the trail is integrated into project.

**Mr. Gelzer** said that the building height and elevations look very nice. He said that the Site Plan looks like the Great Wall of China with no access points to the trail and that they should incorporate access from the trail into the center. He said that the center section with angled parking is nice. **Mr. Gelzer** said there should be at least 2 additional access points to the trail. He said he is concerned about why they need to exceed the lighting standards. He felt the applicant is premature in asking for freeway signs.

**Ms. Osborne** said she was concerned with the sea of parking and asked for more pods of parking with additional sidewalk aisles and large canopy style trees in the landscaping.

**Mr. de Broekert** said he was also concerned about the center signage and with the 3 pylon signs.

**Mr. Bey** said he is glad to see this project coming to Goodyear and hopes the developer will consider these comments in the hopes of keeping our community one of the highest quality.

**Chairman Horsman** said that we are at the zoning step in this project and want to make it the best project possible. He said a major issue with a previous project was the proximity to residential homes because of the size and intensity of use and hours of operation and encouraged the applicant to take into consideration comments on the “great wall”. **Chairman Horsman** suggested moving the big box potential squares further away from residential due to delivery issues. He asked staff to look at delivery restrictions. He suggested that the car wash be moved away from the residential areas. He felt that the pylon signs should not be constructed until we have a freeway. He said that he would like to see parking be broken up into pods, with landscaping and pedestrian access. He said he likes the circulation, but suggested there be useful but unobtrusive internal signage directing traffic. The goal is to collaborate on a project that every one will be happy with.

**Mr. Laux** said that he hoped there will not be signals on Yuma Road and Cotton Lane for every ingress/egress.

Mr. Malin said that they were required to have a traffic study completed. **Chairman Horsman** asked if they would be responsible for 25% of the traffic light at Cotton Lane and Yuma. Mr. Malin said they are working with staff on this.

**Mr. Laux** asked if any portion of the project would be subject to a sales tax incentive. Mr. Krauss said this is still being discussed.

**Chairman Horsman** said he wanted to discourage any thoughts about splitting the site for a big box, as was done in Maryland, so that it did not meet the requirements for being a big box.

**Ms. Osborne** said that the architecture and color are nice. **Chairman Horsman** added that the elevations look very good.

Mr. Malin said he is familiar with the store that was referred to and that it is not part of this development. He added that the car wash has been flipped to the opposite end, further away from residential. He provided an exhibit showing the monument signs. Prior to the freeway there will be monument walls that identify Canyon Trails Towne Center closer to the road. The freeway monument signs will be placed further back from the road.

Mr. Malin said, regarding the lighting, that this is a unique project and the lighting plan is consistent with what is needed for these large scale projects.

**Mr. Gelzer** asked if there will be a comprehensive sign package as a separate submittal or is this the package we are approving. **Mr. Careccia** responded that this is the sign package that we are seeing.

Paul Bleier, 2030 W. Desert Cove, Phoenix, representing Vestar as their sign consultant, said that the City's ordinance allows the sign package to be submitted at this time. He said we want a package that functions as a sign package. It should provide adequate identification for the development. This project is 90 acres, and we may have a minimum of 15 users to accommodate. We are proposing clean architecturally designed signs, integrated into the architecture of the development. Pylons are set back 300 to 400 feet from the roadway. Lower monument signs are placed at median breaks and entrances. He said they are not approaching this as bigger and more signs. They recently completed 4 major power retail centers. This sign package has been presented and accepted in all other centers. This is the time to work these issues out.

**Chairman Horsman** said he thought Desert Ridge has the ugliest pylon signs. **Mr. Bleier** said the tenants love these signs. He said he is hopeful the Commission will take the time to go through the package and be open minded that this is not a standard project.

**Chairman Horsman** asked if there is a similar project we could view. **Mr. Malin** said that Happy Valley Towne Center at the southeast corner of I-17 and Happy Valley Road, when fully built out it will be 800,000 square feet on approximately 80 acres.

**Mr. Gelzer** said he is much more at ease with the sign issues since seeing the sign package. His major concern is still connectivity to trails and parking pods.

**Chairman Horsman** asked what the circle at Shops A is. **Mr. Malin** said it is a truck turnaround.

**Mr. Bey** said he is supportive of this project, and would like the applicant to provide some insight to their strategies as to why things are done the way they are proposed. **Chairman Horsman** added that the more you can educate us, the easier it will be for us to understand where you are going.

**Mr. Gelzer** thanked the applicant for coming and encouraged them to come back and to take our comments in the positive way that they are meant. He added that these work sessions are very helpful.

**City of Goodyear  
Planning and Zoning Commission  
April 20, 2005, DRAFT Meeting Minutes**

**Case Z-17-04, Canyon Trails PAD Amendment**

Amendment to the existing Canyon Trails Planned Area Development (PAD) to amend 72 acres, generally located at the northeast corner of Cotton Lane and Yuma Road, from Planned Area Development (PAD) Residential to Planned Area Development (PAD) General Commercial to permit the development of a retail center called the Canyon Trails Towne Center.

**Applicant: Ralph Pew, representing Vestar Development Company**

1. Open Public Hearing
2. Staff Presentation
3. Public Comments
4. Close Public Hearing
5. Commission Action

**Recommendation:** Staff recommends approval to amend the existing Canyon Trails Planned Area Development (PAD) to amend 72 acres, generally located at the northeast corner of Cotton Lane and Yuma Road, from Planned Area Development (PAD) Residential to Planned Area Development (PAD) General Commercial to permit the development of a retail center called the Canyon Trails Towne Center, subject to stipulations.

Mr. Careccia summarized the staff report. This case was presented to the Commission at a work session on April 6, 2005. He provided a short slide show showing the proposed site plan, with the change to the orientation of the car wash. The amendment includes a change from residential to commercial, along with approval of the Design Guidelines and deviations to City standards for signage and lighting. The General Plan designated 80 to 90 acres of commercial use for this area. Staff is also recommending approval of the Design Guidelines, and deviations to light pole height and building height. Staff is recommending that the parking pod requirement for the large retail user not be waived and that the freeway pylons be deleted from the sign plan at this time. Stipulation #20 limits the number of monument signs to two along Cotton Lane and two along Yuma Road. Staff would be agreeable to allowing three signs along Cotton Lane due to the ½ mile frontage. Stipulation #47 should read the “north and east property line” not the west. Staff is also recommending allowing ground illumination for signage of 150 watts halogen only, or the light will need to be turned off at 11:00 p.m.



**Chairman Horsman** said that it is appropriate that the freeway pylon signs not be constructed until there is a freeway. He said it would be presumptuous to commit the City to pylon signs that won't be built for 15 years. He said we have no idea what that highway will look like. **Chairman Horsman** said that the Big Box Ordinance will require a Special Use Permit for the large retail user. He added that he would like to see stipulations regarding hours of operation, overnight parking, and container sheltering, that were included with the Wal-Mart Site Plan. He said he would like to see much more separation from the residential area. **Chairman Horsman** said he would also like to have the location of the electric substation addressed at this stage.

**Ms. Osborne** asked if there is a stipulation regarding temporary storage units. **Mr. Careccia** said that Stipulation #31 addresses this. **Ms. Osborne** said that there is no indication that the School District knows anything about this, and asked if there is something saying that the District knows about this rezoning, and is comfortable with the school site being so close to commercial. **Mr. Careccia** said that there is no correspondence from School District acknowledging this.

**Ms. Timko** said there is nothing addressing noise intrusion and asked if there was a noise study done regarding the impact on residential. **Mr. Careccia** responded that Staff tries to address this by curfews for trash pickup and equipment location. **Ms. Timko** said she would like to see a stipulation addressing truck deliveries. She said she is also not happy with the sea of parking. **Ms. Timko** said that if we don't have anything from the School District or a noise study, she would not be comfortable with moving this rezoning forward.

**Chairman Horsman** asked about the stipulation on parking. **Mr. Careccia** said that it is Stipulation #14.

**Ms. Timko** said that 57 decibels seems to be high. **Chairman Horsman** said that Wal-Mart went forward to the City Council at 45 decibels and was amended to standards set by a sound consultant. **Mr. Krauss** added that there is a lot of ambient noise that would make it impossible to reach 45 decibels.

**Mr. Laux** asked what incentives would be going into this project. **Mr. Krauss** said that this is being discussed. There is nothing finalized. **Chairman Horsman** added that this is not in our purview.

Ralph Pew, 10 W. Main Street, Mesa, said he appreciates the comments and questions. Most of the questions are covered in the stipulations. He introduced Michelle Dalke, David Malin, Rick Butler, and Paul Bleier. He said that Vestar is one of the most recognized commercial outdoor, open air developers. We are asking to amend the Canyon Trails Master Plan PAD. This is necessary because the City's General Plan designated this to be a commercial center. We are requesting approval of the final development plan subject to Site Plan review. We are requesting approval of the design guidelines subject to modifications listed in the staff report. We are requesting approval

of the Sign Package. We are asking to deviate from the height for light poles, a height deviation to 50 feet for the tower and architectural elements, and a deviation to the sign criteria. He said regarding questions on parking pods and the sea of parking, that this is an issue to be discussed during the Special Use Permit for the large retail user. He responded to the question regarding noise. The distance to the residential community is 220 feet to 280 feet to the property lines. This separation is significant and there will be a wall, a drainage channel and landscaping. Mr. Pew said that we don't really know what the plan is for the school site but they would be happy to work with the School District.

Mr. Pew said that this project has high quality elevations and design elements. The central shops district has a main street feel, and it is a unique and interesting element.

Mr. Pew responded to a pedestrian linkage to trails on the east side of the project. He said that there is a landscaping buffer, a wall on the east side of the project, and a 100 foot drainage channel. The distance from the back of the project to the drainage channel is 120 feet. The drainage channel is 100 feet and the trail is on the east side outside the wall of the houses. The total distance is 280 feet from the wall to the trail. The distance is so great that we do not feel this is a secure/safe linkage. There was a question regarding why tenants drive so many decisions relating to site plans. The number one issue for tenants is parking. Other issues that drive the design of these centers include who the neighbors are, signage, exclusivity of sales, and loading areas.

Paul Bleier, 2030 W. Desert Cove, Phoenix, asked if there were questions on the overall sign package. **Chairman Horsman** said that his question on internal directional signs has been addressed. Mr. Bleier said that in today's market place every user looks at signage. He said they are aware that the freeway is a long time off. They designed a sign to complement the building architecture to identify major tenants. There is a minimum of 15 tenants. Pylon signs will not be built until the freeway is built. Future tenants want to know where the pylons will be if the freeway is going to be there. The sign height of 65 feet will work nicely even if the freeway is 20 feet above the grade of the Center. Mr. Bleier said they want the Commission to understand the necessity of this type of sign. He added that they will not be built until such a time as there is a freeway. He said they want this as an entitlement in negotiations with tenants. **Mr. Laux** asked if Mr. Bleier is saying that unless we agree to future pylon signs he could not guarantee that future tenants will sign on. Mr. Bleier responded that this will be part of the negotiations.

**Ms. Osborne** asked if Mr. Bleier wanted Stipulation #19 removed. Mr. Bleier responded that they would like to see it reworded, that when there is a freeway, pylons will be able to be placed.

Mr. Bleier said they are requesting 3 multi-tenant signs. Staff is recommending that three be allowed along Cotton Lane, but only two signs are allowed along Yuma Road. He said three are required along both streets. He stressed the importance of multi-tenant monument signs. He said there is sufficient spacing between signs so there will be no clutter. Mr. Bleier asked to have Stipulation #22 deleted. Staff recommended wall signs

not exceed 200 square feet. He said their formula is based on 1.5 square feet of sign area for every one lineal foot of building elevation. He provided a drawing of a super Target sign that was is 696 square feet. The bulls eye alone is 144 square feet. Mr. Bleier said that if they are bound by Stipulation #22, they not only would not have a sign that would fit, they would not have a Target. Mr. Bleier said that the Home Depot sign is 300 square feet. The 200 square feet cap will not work. He said that their formula works. Mr. Bleier said that they agree to the stipulations regarding lighting. **Ms. Osborne** asked what was the height of the Super Target. Mr. Bleier responded that it is 35 feet high.

**Ms. Timko** said she is not comfortable with deleting Stipulation #22, but perhaps replacing it with their formula. Mr. Krauss said that staff does not have an issue with the 1.5 square foot formula. He said that staff is concerned about having a maximum size for a big box. He suggested the applicant should have a maximum for wall signage for any 100,000 square foot big box. **Chairman Horsman** suggested that proportional with a maximum is appropriate and that the applicant and staff could work that out.

**Ms. Osborne** said she did not have a problem with the signage on Cotton Lane and on Yuma Road. **Chairman Horsman** said he agreed but he still could not agree to the pylon signs, adding that community standards change and pylons may not be consistent with the standards 15 years from now. He would be comfortable amending Stipulation #20 to three multi-tenant signs on each road.

**Mr. de Broekert** said the applicant could amend the sign package on completion of the 303.

Mr. Pew thanked the Commission. **Mr. Laux** asked if they will be requiring an incentive to move forward with the project. Mr. Pew said that they are in negotiations with City staff on a development agreement that focuses on reimbursement for infrastructure and that that is important to this project. **Mr. Laux** asked if they were anticipating some sort of a rebate for this project. Mr. Pew said that discussions are on-going but he did not feel this is the forum to discuss that and he would prefer not to discuss it at this time.

**Chairman Horsman** said that the location of an electric substation has not been addressed. Mr. Pew said he did not know the answer but that they fully expect it to be on their property.

**Ms. Osborne** asked if the school site had been approved because this was a residential site. Mr. Krauss responded that it has been platted and designated as a school site. It has not been deeded to the School District. Canyon Trails has designated three school sites and this is one of them. Mr. Pew added that that issue was dealt with during the General Plan and that we can not solve it tonight.

Diane Burnett, 16577 W. Monroe, said she is concerned that this development is very close to the neighborhood and that no one was aware that there would be such a large center there. She said that traffic is increasing and it is a major concern. Sign concerns are

valid and lighting and noise will be an issue. Ms. Burnett said she has no problem with a shopping center in this area but is amazed at how large it is going to be.

Robb Tibbs, 16591 W. Adams, asked about the potential amount of traffic on Canyon Trails Boulevard going north. Mr. Krauss responded that Canyon Trails Boulevard is a 3-lane collector road that has not been constructed yet. It will be constructed before this project is completed. Mr. Tibbs asked about the phasing for the project. Mr. Pew said it is a 3 phase project, with the first phase being the southern ½ area and it is anticipated that it will open in 2007. The phasing will progress from the south to the north. **Chairman Horsman** asked the anticipated completion date. David Malin, 2425 E. Camelback Road, Suite 750, Phoenix, said that the phasing is conservative. He said the progression is north along Cotton Lane. Each phase should open one year after the previous. He added that this could all be opened at the same time. It is driven by the market.

Mike De Rosier, 16825 W. Yuma Road, asked how far it is from Cotton Lane down Yuma Road. Mr. Pew responded that it is close to ½ mile. Mr. De Rosier asked what they would do about the irrigation. Mr. Pew said that all irrigation will be tiled or placed under ground and water would continue to be delivered.

**Ms. Timko** asked if the school in the updated General Plan is still surrounded by residential. Mr. Careccia said that the school site and park are in same location but today's condition is different. **Ms. Timko** asked if we are removing the residential on the west side for this project. Mr. Careccia responded that they are.

**Chairman Horsman** asked if there were any further comments or questions. Hearing none, he closed the public hearing.

**Chairman Horsman** said we have three options: approval as staff recommended, approval with modifications, or to continue the case based on the proximity of the school issue. **Mr. Laux** added that there is a 4<sup>th</sup> option, which would be to recommend denial.

**Mr. de Broekert** said that there is also the issue of the substation. **Chairman Horsman** also added the issue regarding the standards to be set regarding the sign area.

**Mr. de Broekert** moved to continue Case Z-17-04 to provide time to address the school issue, the substation location, and the maximum signage area. **Ms. Timko** seconded the motion. The motion carried by a vote of 4 to 1. **Mr. Laux** voted no. Mr. Pew asked if this was to a date certain, adding that if there is not a date certain we would have to readvertise. **Mr. de Broekert** amended his motion to continue this case to the Special Commission meeting on May 4<sup>th</sup>.

Mr. Malin said that the timing of this process is critical to Vestar and the community. The timing schedule of this hearing and the hearing before the City Council was geared to the annual convention to be held in Las Vegas on May 22. He said it is critical that we are

able to go to that convention with all entitlements in place or it may set us back a full year.

**Old Business**

- A. **Case Z-17-04, Canyon Trails PAD Amendment** – Amendment to the existing Canyon Trails Planned Area Development (PAD) to amend 72 acres, generally located at the northeast corner of Cotton Lane and Yuma Road, from Planned Area Development (PAD) Residential to Planned Area Development (PAD) General Commercial to permit the development of a retail center called the Canyon Trails Towne Center.

**Applicant: Ralph Pew, representing Vestar Development Company**

1. Open Public Hearing
2. Staff Presentation
3. Public Comments
4. Close Public Hearing
5. Commission Action

**Recommendation:** Staff recommends approval to amend the existing Canyon Trails Planned Area Development (PAD) to amend 72 acres, generally located at the northeast corner of Cotton Lane and Yuma Road, from Planned Area Development (PAD) Residential to Planned Area Development (PAD) General Commercial to permit the development of a retail center called the Canyon Trails Towne Center, subject to stipulations.

Mr. Schmitz summarized the staff report. The General Plan land use designates 94 acres of regional commercial for this area. The Canyon Trails PAD land use designation shows commercial at this corner surrounded by residential. This amendment is to change the entire 94 acres to commercial. The original fiscal impact report for Canyon Trails Phases I and II indicated a positive impact of \$15 million. The retail center itself will generate \$47 million in retail sales tax over a ten year period besides what will be generated by the balance of the development. A Neighborhood Meeting was held in February. The Commission reviewed the case at a work session on April 6 and a public hearing on April 20.

Issues raised by the Commission included the school site, substation, and wall signage, connectivity between the center and the trail system, and traffic. At a Council work session on Monday night an additional issue raised was the double wall configuration along the drainage channel.

A letter from APS stated that a substation will not be required in this location to serve the project. There is sufficient transmission capacity from the Van Buren and Sarival sites.

Avondale School District is having on-going discussions regarding their concern about this development in proximity to the K-8 school site.

Information from Mr. Hilby and Mr. Wilson regarding the timeline for this project and its relationship to the General Plan and land use designation for this site was presented. The General Plan Land Use Map does not designate commercial all the way up to Canyon Trails Boulevard. Discussions and the minutes from the General Plan meetings indicated that the entire area from Yuma Road north to Canyon Trails Boulevard be regional commercial and was approved by the Commission and City Council. The General Plan anticipates that the land uses on the plan are general in nature and changes could occur as long as they do not deviate greatly from the plan. This amendment is not more than a 10% change in the Canyon Trails PAD.

In an effort to address the school site issue, Dr. Stafford was contacted regarding the possibility of relocating the site. Several sites were discussed. Dr. Stafford felt that the site should remain north of Yuma Road. Discussions are on-going between the School District, Taylor Woodrow, and Vestar on options to reconfigure the existing school site. The School District seems to be committed to this site and coming up with design that will meet their needs.

Mr. Schmitz distributed proposed revised Stipulations #30 through #54 relating to the lighting plan. These are the result of a meeting with the City's lighting consultant, Don Happ, and the applicant.

Stipulation #22 addresses the aggregate sign area for building wall signs. Two new stipulations #55 and #56 address truck traffic on Canyon Trails Boulevard and the landscaping and wall adjacent to drainage channel.

**Chairman Horsman** asked about the issue of the parking pods. The Commission wants a stipulation requiring the project to conform to the Design Guidelines and the City's parking requirements. He said that, with regard to the school site location, the Commission relied upon what was in front of us at the time and that the school site would have residential to the west. He said they would not have approved the school site in this location had they known about this development. He said that he did feel that Dr. Stafford has not been very assertive in school site locations and he is not confident that she will be able to drive a change for this site. **Chairman Horsman** said he wants to see the school site issue resolved, in writing, before taking this forward.

Mr. Schmitz said that Stipulation #14 was directed at the parking pods. **Chairman Horsman** said he would like to see it amended to reflect the City's Design Guidelines and the City parking regulations for a large retail user.

**Chairman Horsman** asked where the big box development and the potential light source of a 24/7 operation is addressed. Mr. Schmitz said staff would address this.

**Ms. Timko** said she is very concerned with the traffic and safety issues around this school site. She said this school site is not appropriate and until this problem is solved she would have to vote for a continuance.

**Mr. Gelzer** said he is concerned about parking, circulation, the school site, and the area behind Anchor 2. He questioned how Stipulation #55 would be enforced. He said that additional parking made available to the school may mitigate some of the Commission's concerns. He said he is concerned about the phasing plan and that the village center should be in the initial phase. **Mr. Gelzer** said he supported the Chairman's concern with Stipulation #14 regarding parking pods. **Mr. Gelzer** said he is also concerned about getting between the truck delivery area in the back and the parking in the front. He said he still thinks connectivity is an issue between residential and the commercial site.

**Mr. Bey** said it is unfortunate that we visually approved this site and that the school site now finds itself abutting the rear of a large regional shopping center. He suggested that we approve this site to go forward and allow staff and the developer to work through these issues with the school. **Mr. Bey** said he would also like to see some level of pedestrian pass through to access this Center. He said he does not feel these issues should deter this project and we should allow staff to work with the developer to resolve these issues that are huge concerns of the Commission.

**Mr. Laux** said that it is obvious that this project is in a big hurry and hoped that it is not in so much of a hurry that we might have missed something.

**Chairman Horsman** said the he is also fearful that this is moving too quickly.

**Ms. Timko** said that there is no way at Anchor 2 for a truck to back up to the dock without turning right onto Canyon Trails Boulevard. Mr. Schmitz responded that the stipulation is directed to right turns out of the site but that traffic is anticipated to turn right coming into the site. **Ms. Timko** said she does not want to see any truck traffic on Canyon Trails Boulevard.

Ralph Pew, 10 W. Main, Mesa, on behalf of Vestar, said that we have dealt with the APS issue, the signage and lighting and concur with the modified stipulations. He said they heard the Commission's comments regarding the pylon signs but continue to disagree and asked that Stipulation #19 be deleted. He said that this entitlement is needed at this time and is critical to the on-going nature of this project. He said they would like some indication that the signage on the freeway will be appropriate.



Mr. Pew said with regard to trail connectivity that the trail is located to the far east of the drainage channel near the residential parcel. They do not believe that encouraging pedestrians through the 100 foot drainage channel and across 120 feet to the loading docks was feasible and could be a safety issue. We don't want pedestrians on the backside of the Center. He said that, while this plan has multi pedestrian walkways, people will park closer to a building they wish to go to.

**Mr. Gelzer** said that we are missing an opportunity here by not providing a break to get to Canyon Trails. He said he would like to see one well-marked access point to the Center from the trail. Mr. Pew said that Mr. Malin would address this.

Mr. Pew said that there have always been discussions for a 94 acre commercial site here and that this Commission voted on this specific issue. Council approved this specific 94 acres with the General Plan. Mr. Pew said that in September, after the Commission and Council approved these 94 acres of regional commercial, the Commission and Council approved the plat and this school site with only one road into it. Mr. Pew said that the issue for the School District never was the location of the site by commercial, but that there was only one road into the site. He said we have met with Dr. Stafford on alternative sites but moving it did not work logistically. Dr. Stafford's letter suggests that Vestar consider what they can do to make this school site work and not hold up the development. Mr. Pew asked that if the Commission is inclined to study this case further, the applicant would prefer a vote. He added that the school issue is not a problem caused by them.

**Chairman Horsman** said that what we are amending is the Canyon Trails PAD. He said that when we approved the school site the commercial project was not adjacent to the school site or we would not have approved that plat. The change may be consistent with the General Plan but not with the Canyon Trails PAD.

Mr. Pew said that was correct as it relates to the zoning at the time. There was a lot of discussion in this room about 94 commercial acres along this freeway corridor. Everyone knew it was coming to this corner. **Mr. Gelzer** said that he served on the General Plan Committee. He said that they knew the 94 acres were there and that there were inadequacies in the mapping. There is a problem with the school site. **Mr. Gelzer** said he supports this project but "fix the school site".

**Mr. Laux** asked what would happen to Canyon Trails Boulevard once the 303 is built. Mr. Krauss said that it would become a frontage road.

Dick Wilson said he attended a meeting with Dr. Stafford this morning. Taylor Woodrow suggested moving the school site south of Yuma Road and offered to provide a site there. Dr. Stafford wants to make the current site work for them. She asked for some of the land on east side of the Wash for amenities (i.e., basketball court). Mr. Blake is working on a solution to improve the site that she has.

**Mr. Gelzer** asked, if the Commission approves this, would this be resolved so there will be a preliminary school layout when the case comes before the Council on May 16<sup>th</sup>. Mr. Wilson said he is sure there will be. Mr. Blake has already committed to moving amenities to already platted lots. Mr. Schmitz said that Mr. Blake offered the property before Dr. Stafford asked for it. He has no responsibility for this, since his plats are already approved. **Ms. Timko** said she would like to see this resolved before it moves forward.

**Mr. Gelzer** asked about the phasing. Mr. Pew said they will begin with the central shops area. He said you need something to get people from one end to the other. They will make this work but cannot do it all at one time. **Mr. Gelzer** said that Kierland Commons was built all in one shot. Mr. Pew said it will work but requires timing.

David Malin, Vestar, added that Kierland Commons is on 30 acres, this is 90 acres. He said that Kierland was built in 4 phases and they are working on Phase 5 now. Mr. Malin said that the market will drive this project. The area of specialty shops will not come until the big boxes are built. He said they are in a rush to rent these majors, the window of opportunity is now, and they need to have this in place before the convention in Las Vegas.

Diane Burnett, 16577 W. Monroe St, said she is confused about where the public input is on this project. She said when they bought their home in April 2003 they checked the zoning around the neighborhood. The original zoning was for commercial on 20 acres at the northeast corner of Cotton Lane and Yuma. She said she does not oppose growth. She said they would not want any access from their neighborhood to this Center. She said she opposes the school site, the lighted sign package, and pylon signs. Ms. Burnett provided a written statement, which is attached. Ms. Burnett said that the City is not acting in good faith.

Jennifer Burnett, 16600 W. Monroe, said that this Commission and Vestar, as a member of our community, needs to provide the time to ferret out the issues. She said she would support the Commission in a continuance. She said that there should not be connectivity for safety and maintenance reasons.

**Chairman Horsman** asked if there were any further comments or questions. Hearing none, he closed the public hearing. He said that four votes are required to move this case forward. He said he would work with Ms. Timko, the District, and Taylor Woodrow for the best possible solution for the school site.

**Mr. Laux** moved to approve Case Z-17-04 with amendments as proposed. **Mr. de Broekert** seconded the motion. **Chairman Horsman** said, regarding public input, that the General Plan had much public input and a vote of the citizens of Goodyear to approve the plan by a large margin. He said that we have followed our procedures. He said that of the substantial number of residents of Canyon Trails, only a handful came to the hearings. The opportunity for public input is there. **Mr. Bey** said he has absolute faith in staff to work through these issues. With the first phase of the project being so far to the south

there will be ample time to work on issues important to the development and the community. This will be a quality development for the City of Goodyear. **Mr. Gelzer** asked if the Commission is comfortable with Stipulation #14 and the addition to comply with Design Guidelines. The motion carried by a vote of 5 to 1. **Ms. Timko** voted nay.

**PLANNING AND ZONING MEETING**  
**Case No. Z-17-04, May 4, 2005**

My name is Diane Burnett and I live at 16577 W. Monroe Street in Canyon Trails.

Chairman, Commissioners, I have a brief statement I would like to read and have entered into the record.

We bought our home two years ago in April of 2003. Before buying we checked the zoning for the vacant land surrounding our neighborhood and used that information as one of the key factors in our decision to buy. The original 20 or so acres zoned as commercial on the southeast corner of Cotton Lane and Yuma was acceptable to us and the General Plan adopted by Goodyear confirmed that zoning. This plan is reflected in Exhibit D dated 06-24-03, "Final Development Plans For Canyon Trails".

In March 2005 we were randomly selected and a letter was sent about Case No. Z-17-04. The notification process in these rezone and site plan cases serve no real purpose as the land in these undeveloped areas are owned by other developers and citizen input and contact is almost nonexistent. We do not oppose growth, however, we do strongly oppose certain site locations when it affects established neighborhoods.

After attending the April 20, 2005 Planning and Zoning meeting we are opposed to the rezone request or amendment, for three important reasons.

The first is the proximity of the planned school in Canyon Trails to the shopping center. Our children deserve better, they deserve our protection not only from predators, but also from the noise and pollution created by a large retail center. In addition, we believe that homes, as originally zoned, would buffer the school and better serve the needs of our children.

The second reason is the light and sign package proposed by Vestar. The city of Goodyear has ordinances in place that deal with and best serve the community in these issues and Vestar seems unwilling to accept the dictates of these ordinances. If we amend to suit the developer what will the next developer want amended and how is it that the needs of the residential community will then be best served. I believe the chairman was correct in questioning the request for pylon signs that may or may not be installed until after the proposed construction of Loop 303, committing to an agreement that is ten years or more in the future is not sound judgment.

The third and in my opinion most important issue deals with the traffic and the noise and pollution caused by the traffic and how it will affect my community. Interstate 10 at Cotton Lane is critically inadequate at this time with no improvements slated until 2010, with the future of Loop 303 being an unknown variable. East-bound traffic on Interstate 10 is backed up on a daily basis due to accidents and the fact that two lanes no longer serve the needs of our community due not only to our growth in Goodyear, but the continuing growth west of us. Because of these backups and the accidents occurring on Interstate 10, traffic is either rerouted or reroutes itself at Cotton Lane using west-bound Van Buren as an access road. Not only does this make access to our neighborhood difficult but dangerous as well. This is a matter of grave concern as we had two fatalities in December 2004, one just south of

Interstate 10 on Cotton Lane killing a seventeen year old boy, the other fatality at 167<sup>th</sup> Ave and Van Buren, killing a young man, a husband and father of four little girls. We must consider how additional traffic will impact our neighborhood and safety.

In conclusion, the City of Goodyear is not acting in "good faith" towards its citizens when it rushes ahead with plans that do not address the issues that concern the people living in the area. When we the citizens express opposition or concern, be it one or one hundred and fifty, as reflected in the issue of Wal-Mart building in our neighborhood, our City Council deems these voices as a minority, thus rendering citizen input null and void. In a community, safety, peace and quiet foster a sense of commitment to the security and well being of its citizens, an attribute we should be striving for as stated in our Mission Statement for Goodyear. The bottom line is not only sales revenue, but the promised "quality of life".

This is an opportunity for the Planning and Zoning Commission to act in, "good faith" using our general plan and city ordinances to oppose Case No. Z-17-04.

Thank you

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

<b>SUBJECT:</b> Major Amendment to the Canyon Trails Planned Area Development (PAD) to amend 72 acres generally located at the northeast corner of Cotton Lane and Yuma Road from PAD (Residential) to PAD (Commercial) to permit the development of a retail center called the Canyon Trails Towne Center.	<b>CASE NO.:</b> Z-17-04  <b>STAFF PRESENTER:</b> Joe Schmitz, Planning Manager and Steve Careccia, Planner II  <b>COMPANY</b> <b>CONTACT:</b> Ralph Pew, Pew and Lake PLC, representing Vestar Development Company
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**RECOMMENDATION:**

City Council adopt Ordinance 05-942, which will approve the Major Amendment to the Canyon Trails Planned Area Development (PAD) to change the land use designation of 72 acres generally located at the northeast corner of Cotton Lane and Yuma Road from PAD (Residential) to PAD (Commercial) for the development of a retail center called the Canyon Trails Towne Center, subject to the following stipulations:

1. All future development within the center shall comply with the Canyon Trails Planned Area Development (PAD), General Commercial (C-2) Zoning District criteria, the City of Goodyear Engineering Design Standards for public works construction, the Maricopa Association of Governments standards for public works construction, and all other relevant codes and ordinances;
2. All future development within the center shall substantially conform with the Design Guidelines for the Canyon Trails Towne Center, dated February 2005, except as modified herein;
3. The Owner or Developer shall dedicate all necessary rights-of-way and utility easements in form and substance acceptable to the City Engineer, or his designee, with the site plan or final plat (whichever occurs first), or when requested by the City Engineer;
4. The Developer shall improve the north half of Yuma Road as a Scenic Arterial per Detail G-3120. The full median is to be constructed along with a minimum pavement width of 16 feet south of the median;
5. Driveway locations, median openings, and curb cuts are not approved as part of this submittal and will be determined during the site plan review process;
6. The Developer shall be responsible for a proportionate share of the costs for any warranted traffic signals adjacent to the project. The Developer shall either construct these signals when warranted or pay to the City the proportionate share of the costs to install the required signals when requested by the City Engineer, or his designee;
7. All utilities within and adjacent to the subdivision, including cable television, shall be placed underground (with the exception of 69 kV or larger electric lines) at no cost to the

City as each phase is developed prior to the issuance of the first Certificate of Occupancy in such phase,

8. The developer shall control dust as required by the State, City, and the County Bureau of Air Pollution on temporary access ways during construction;
9. The subject property shall be kept weed and debris free;
10. The developer shall submit a current Phase I Environmental Survey designating the City of Goodyear as a named party to whom such survey is delivered and to whom such certification is made, together with any additional environmental surveys which the city deems necessary dependent on the contents of the Phase I survey. Such survey shall cover publicly dedicated rights-of-way, easements, or other parcels of land dedicated to the public and shall be submitted prior to the dedication of any right-of-way. Any environmental conditions identified by the Phase I Environmental Site Assessment shall be addressed and remediated to the satisfaction of the City Engineer, or his designees prior to the recording of any final plat or map of dedication for the property;
11. If subdivided, a Property Owners Association shall be formed that shall be responsible for the ownership and maintenance of all tracts within the project unless accepted for public use by the City, and a corresponding note shall be provided on any final plat and in the CC&Rs. The association shall also enforce any land use covenants and ensure that a mechanism for funding is created so that landscaping in the center and along rights-of-way is properly maintained;
12. All improvements, including but not limited to curb, gutter, sidewalks, street lighting, and landscaping, made on all arterial, collector and local streets abutting the subject property shall comply with the City's Engineering Design Standards. The developer or successor shall warranty all public and private improvements constructed by the developer or successors within the City of Goodyear rights-of-way, tracts, and easements for a period of not less than two (2) years from the date of acceptance by the City Engineer, or his designee;
13. All improvement plans, including civil and landscape plans, shall be reviewed and approved by the City Engineer, or his designee;
14. The parking lot serving Anchor 1 and Majors A – C shall be designed as a series of connected smaller lots (50-75 parking spaces) utilizing raised landscaped strips at least 10 feet in width with sidewalks and islands at least five feet in width to create a safe and landscaped pedestrian circulation system, in compliance with the parking lot standards specified in the City of Goodyear Design Guidelines and the Large Retail User Ordinance;
15. This commercial development shall have a minimum of fifteen (15) percent of the net site/lot area in landscaping, which shall be demonstrated during site plan review;
16. Convenience uses, as defined in Article 4 of the Zoning Ordinance, must obtain a Use Permit to be reviewed and recommended by the Planning and Zoning Commission and approved by the City Council;

17. All future commercial development with the center shall be subject to Site Plan review and approval by the City of Goodyear, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, infrastructure, parking, access, and circulation;
18. The Developer shall cause the installation of Temporary Property Sales Signs – Commercial Retail, as designated in the Canyon Trails Master Sign Plan, announcing the occurrence of the future commercial development;
19. No freeway pylons shall be approved as part of the comprehensive sign plan submitted with the Design Guidelines for the Canyon Trails Towne Center, dated February 2005. Upon completion of the Loop 303 adjacent to the center, an amendment to the sign plan shall be required for any freeway pylon(s). Such amendment shall require Planning and Zoning Commission review and final action by the City Council;
20. The number of multi-tenant monument signs shall be limited to three monuments along Yuma Road and three monuments along Cotton Lane;
21. No advertising or marketing signs shall be permitted on any building elevation that faces an existing or proposed residential dwelling;
22. The language regarding General Requirements Building Signage – III. Design Requirements A. Sign Area 1., contained on Page 46 of the Comprehensive Sign Plan Package of the Design Guidelines dated February, 2005 shall be revised to provide that the maximum aggregate sign area per building elevation for any single tenant shall not exceed six hundred fifty (650 SF) square feet. Aggregate sign area shall be calculated by multiplying one and one-half (1.50) times the length of the storefront(s) and/or elevation(s) occupied by the tenant. Multiple sign elements shall be permitted. Any shop tenant and/or freestanding pad tenant with a storefront and/or elevation of less than thirty-three (33) feet shall be permitted a minimum sign area of fifty (50) square feet per storefront and/or elevation upon which signage is placed;
23. The Developer shall minimize the amount of noise trespass into abutting residential neighborhoods. Building orientations, screen walls, and/or other noise mitigation technologies shall be incorporated so that noise emitted from compressors, compactors, or truck engine/refrigeration units does not exceed 57 decibels measured at the east property line. The costs for any sound studies required to ensure compliance with this stipulation shall be the responsibility of the Developer and/or commercial property owner;
24. Refuse collection shall be limited to the hours of 6 AM to 10 PM;
25. Deliveries of non-perishable goods to Anchor 1, Majors A – F, and Shops A shall not occur between the hours of 10 PM and 6 AM;
26. All mass graded pads not slated for development within 18 months of grading shall be temporarily finished with a topping of decomposed granite (two-inch minimum depth);



27. Any pads involved with the retail sale of gasoline shall be required to provide for an oil/sand separator, or acceptable equivalent as determined by the City Engineer, or his designee, prior to draining into any retention basin;
28. The overnight parking of recreational vehicles and semi-tractor trailer trucks shall be prohibited anywhere within the center;
29. The display and sale of vehicles by the general public shall be prohibited anywhere within the center;
30. All areas used or designated for bale and palette storage, portable storage containers, and general loading and unloading shall be screened with 10-foot high decorative block walls;
31. The use of portable storage containers shall adhere to the provisions set forth in Ordinance No. 04-918;
32. The maintained average horizontal illuminance at grade for the parking lot shall not exceed 4.0 footcandles;
33. All lighting plans shall include all proposed building/wall-mounted lighting, and they shall conform to the IESNA definitions of “cutoff” or “full-cutoff”;
34. All wall-mounted fixtures that face residential properties shall be specified with house-side shields in order to reduce the illuminance “hot spots” on the building facades;
35. All wall-mounted fixtures that face residential properties shall either be specified with high-pressure sodium light sources, or be turned off by an automatic control device by no later than 10:00 PM. The final CDs submittal shall include a manufacturer and model number for this automatic control device;
36. The applicant shall provide “spill light” calculations along the north and east property lines. These calculations should be based upon “initial” vertical FC (light loss factor of  $\geq 0.95$ ), at 6-feet above grade, with the computer’s “light meter” aimed at 90-degrees above nadir and perpendicular into the site. These calculations should include all outdoor lighting fixtures. No point on these calculation grids may exceed 0.80 footcandles;
37. The maximum height of the pole lights shall not exceed 30.0 feet above the finished grade of the parking lot. The applicant shall provide a pole Detail that demonstrates compliance with this limitation, and shall include the mounting height(s) in the Fixture Schedule;
38. As per the Canyon Trails Design Guidelines, all lighting within 150-feet of a residential property line or open space corridor shall be limited to no more than 15-feet in height. This height limitation shall be applied to both pole-mounted and wall-mounted lighting;
39. The pole lights along the NE driveway (north of the Car Wash) and the West driveway (near Pads “Y” & “Z”) shall be limited to 15-feet in height, as measured from finished grade to fixture lens. An additional pole Detail shall be added to the plans to demonstrate compliance;

40. All of the pole lights within 150' of the east property line, and north of the in-line tenants along the north property line, shall be a dark bronze or black in color, in order to reduce reflectivity and off-site visibility. The applicant shall create a new fixture/pole "type" in the Fixture Schedule for these units, listing the dark color;
41. In order to help maintain the nighttime "dark skies" in the city, the site shall be required to implement a "post-curfew" lighting plan, at which time a minimum of 50% of the outdoor lighting shall be turned off for the night. The applicant shall therefore provide a separate "Post-Curfew" light plan demonstrating the nighttime reduction in illuminance. This minimum 50% shutdown should include the wall-mounted fixtures along the rear of the in-line tenants and Pads Y and Z. The post-curfew lighting plan should include a photometric study comparable to that provided for the normal / pre-curfew lighting; should be clearly marked as the "Post-Curfew" lighting plan; and should clearly indicate which fixtures are still operating -- either by using graphical isolux templates, shading, or removing the non-operating fixtures from the plan;
42. All final lighting plans shall include a one-line diagram that clearly shows which fixtures/circuits are to be turned off for the post-curfew period, and an electrical site plan with circuit numbers that correspond to the one-line diagram;
43. All final lighting plans shall include a Note that states that the site shall enter post-curfew mode no later than 1 hour after the closing time of the last business (other than the convenience store/gas station, which is already presumed to be a 24-hour operation);
44. The final CDs shall include the manufacturer and model number of all automatic control devices performing the lighting shutdown, and shall clearly identify their locations;
45. In order to help maximize pedestrian safety and emergency vehicle access, the applicant shall be required to place additional lighting near to the ends of all of the driveways, and to show the crosswalks on their photometric plans. No point on the crosswalks/paths across the driveways shall be less than 1.0 FC. This additional safety lighting shall remain on from dusk until dawn. This requirement shall be waived for any driveway that is to have a city streetlight located within 20-feet, but the streetlight will need to be shown and identified on the plans;
46. The lighting plan shall include any-and-all proposed landscape, architectural and external sign lighting that is included in the construction Phase. Any downlighting shall be included in the photometric calculations. Any uplighting shall be limited in intensity to no more than 70-watt HID, and shall be turned off when the site enters post-curfew mode. Uplighting that is visible from the north and west property lines is not allowed;
47. Lighted monument signage visible from the north and east property lines shall be back-lit channel letters;
48. All night ground illumination for signage shall have a maximum intensity of 150 watt halogen. Ground illumination observing the lighting curfew may have an equivalent intensity of 70 watt HID;

49. Lighting plans for the car wash and convenience store shall include the proposed canopy and wall-mounted lights. All of the wall-mounted fixtures shall conform to the IESNA definition of full-cutoff. All fixtures mounted in canopies with heights of  $\geq 10$ -feet above finished grade shall be recessed into the canopy ceiling, utilize a flat lens, and be mounted with the fixture door flush to the canopy ceiling. The north side of the Fuel canopy fascia shall be extended to a height/depth of at least 12-inches in order to reduce off-site visibility of the fixture lenses. Canopies with heights of  $< 10$ -feet above grade may utilize sag-lens fluorescent fixtures, but the fascia on all sides of the canopies will need to be increased in height/depth so that they hang lower than any portion of the proposed sag-lens fixtures. Car Wash canopy lights shall turn off when the site enters post-curfew mode. The illuminance at grade under any of the C-Store and Car Wash canopies shall not exceed a maintained average illuminance level of 30.0 footcandles, based upon a light loss factor of no less than 0.70;
50. The lighting plan shall include any lighting for under the tenant storefront canopies that is included in the construction Phase. Fixtures visible from the north and west property lines shall be full-cutoff and located so that the lenses and lamps are not visible;
51. The lighting plan shall include lighting for any drive-through canopies (such as for banking, pharmacy or fast food). Fixtures for these Uses shall be recessed into the canopy ceiling, utilize a flat lens, and be mounted with the fixture door flush to the canopy ceiling. Canopies without ceilings shall have the fixtures specified and mounted so the lowest point of the fixtures is at least 2-inches above the canopy fascia. The lighting for 24-hour Uses (such as a bank) may remain on all night, while the lighting for other Uses (such as pharmacy or fast food) shall be reduced by at least 50% within 1-hour after the business closes for the evening. These reductions shall be shown on the post-curfew lighting plan;
52. All future lighting plans shall include the lighting for the "towers" included in the project. Fixtures shall be located and/or shielded so that neither the lenses nor lamps will be visible from any of the property lines. A Detail shall be provided demonstrating compliance with this requirement. Fixtures that will create an uplighting "glow" that will be visible from the north or east property lines shall be turned off when the site enters post-curfew mode;
53. All future lighting plans shall include proposed colors for all of the fixtures and poles. The concrete bases for all poles throughout the project shall have a finish other than unfinished concrete (brushed finished, colored, pebbled, etc.). All of these colors should be included in the Fixture Schedule and the pole Details; and,
54. Approval of the Major Amendment does not constitute approval of any Special Use/Use Permit associated with the center. Prior to City Council approval of the Major Amendment, the applicant shall submit an exhibit showing how the areas proposed for the car wash and Large Retail User will be developed if the Special Use/Use Permits for these uses are not approved.
55. The easternmost driveway on Canyon Trails Boulevard being posted to prohibit heavy trucks from turning right onto Canyon Trails Boulevard.

56. The number of screen walls or fences located along the east side of the property line between the buildings and the drainage channel shall be limited to one (1) and the location of such wall shall be determined at the time of site plan approval;
57. Building uses and setbacks conforming to the standards of the C-2 General Commercial District, except for the side setback requirement which may be zero feet (0') provided all other provisions of the City's Building Code are met.

## **DISCUSSION:**

### **Background**

The General Plan Land Use Map designates the 91-acre subject property as Regional Commercial, Medium-High Density Residential, Low Density Residential, and Open Space (See Exhibit). The Regional Commercial land use classification denotes areas in which retail and service oriented businesses should be located. Typical users of this land use include regional shopping centers, anchor stores, and power centers. Per the General Plan, regional shopping centers should be located adjacent to and have access from arterial roadways. The Medium-High Density Residential land use is intended for residential development between 10 and 20 units per acre. The Low Density Residential land use is intended for residential development between 2 and 4 dwelling units per acre. The Open Space land use denotes both private and public natural and developed areas.

The subject property is located within Phase One of the Canyon Trails Planned Area Development (PAD). The PAD for Phase One was approved by the City Council on July 26, 1999, with the adoption of Ordinance No. 99-649. Phase One is generally located between Interstate-10 and Yuma Road and between Cotton Lane and Estrella Parkway. A Development Agreement for Canyon Trails was also approved by the City Council on July 26, 1999, with the adoption of Resolution No. 98-686.

The Final Development Plan for Canyon Trails designates the permitted land uses and their locations within the PAD (See Exhibit). According to the plan, the subject property includes parcels designated as Open Space, SF-3 – Medium Density (single-family residential), CH – Medium High Density (court homes), TH –Medium High Density (town homes), MF – High Density (multi-family), and COMM – Commercial. Development within Canyon Trails must adhere to the development plan as established by the PAD.

Land uses surrounding the subject property include the following:

- North – Proposed Canyon Trails Boulevard and then vacant parcels designated for court home development within the Canyon Trails PAD.
- South – Yuma Road and then vacant parcels designated for commercial and single-family development within the Canyon Trails PAD, an irrigation contractor's facility, and a restaurant/bar.
- East – A 100-foot wide drainage channel and trail system and then vacant parcels designated for single-family development, an elementary school, and public park within the Canyon Trails PAD.
- West – Cotton Lane and then vacant parcels designated for single-family and commercial development within the Canyon Trails PAD, two single-family residences and a farm equipment storage area.

### Details of the Request

The applicant is requesting a Major Amendment to the Canyon Trails PAD to facilitate development of a 91-acre commercial center to be called the Canyon Trails Towne Center. Vestar Development will be the developer of the site, which is located at the northeast corner of Cotton Lane and Yuma Road (See Exhibit). A Major Amendment is required since the PAD currently designates approximately 72 of the center's 91 acres for residential use (SF-3, CH, TH, and MF). The proposed amendment is to change the land use designation for these 72-acres from residential to commercial. This change would permit the entire 91-acres to be developed for commercial use.

A conceptual master site plan for the center was submitted with the Major Amendment. The plan shows approximately 899,880 square feet of total building area (See Exhibit). Two large anchors (86,837 and 120,000 square feet), several majors in the range of 20,000 to 50,000 square feet, and numerous shops and pads in the range of 7,000 to 20,000 square feet will be developed as part of the center. The anchors and majors are arrayed along the east and north portion of the site. Most of the shops are located in a central district that will have a 'Main Street' type design. The free standing pads are predominately located along the Cotton Lane and Yuma Road frontages.

A variety of retail uses are proposed within the center. The anchors and majors are anticipated to be national retailers capable of serving a regional market. The central shopping area is intended for smaller specialty retailers. The pads have been designed for a variety of sit-down and drive-through restaurants and other retail establishments. The applicant will submit applications for those uses requiring a Special Use/Use Permit (car wash, drive-throughs, and Large Retail User) separately from this Major Amendment. Specific tenants for the center have not yet been identified.

Three phases of development are anticipated. The first phase will include the development of approximately 447,489 square feet of retail space located in the south half of the center. The second phase will include approximately 287,726 square feet of retail space north of the first phase. Finally, the third phase will include approximately 164,695 square feet of retail space south of Canyon Trails Boulevard. A large anchor (120,000 SF) is proposed in the first phase of development. The central shopping district is proposed for development in the first and second phases. Driveway entrances, drive aisles, and parking areas will be included with each phase to ensure adequate access and traffic circulation.

In conjunction with the Major Amendment, the applicant is also requesting three deviations from standards and criteria found in the Zoning Ordinance. The requested deviations include the following:

1. Increase in overall building height, from 30' to 35', and the ability to construct architectural embellishments up to 50' in height.
2. Increase in parking lot light pole height, from 24' to 30'.
3. The use of landscape islands and diamonds to meet the requirement for parking pods.

A comprehensive sign plan is included with the Major Amendment (See Exhibit). The sign plan contains provisions for freeway pylons, entry monuments, multi-tenant monuments, wall and building signage, and directional/way finding signs. Three freeway pylons (65') are

proposed along the Loop 303 once it is constructed. Three multi-tenant monuments (20') are proposed along Cotton Lane and another three are proposed along Yuma Road. The three multi-tenant monuments along Cotton Lane are temporary and will be removed once the freeway pylons are installed. Three entry monuments are proposed at the project corners. One and a half square feet of wall signage is proposed for each linear-foot of building frontage upon which the sign is placed.

Site and architectural design guidelines for the center are included with the Major Amendment (See Exhibit). The guidelines are intended to ensure that a high quality development is constructed in terms of building elevations, signage, landscaping, and site design. The guidelines will also ensure consistency within the center with regards to the designated architectural theme, building materials, colors, and landscaping.

Improvements to Cotton Lane, Yuma Road and Canyon Trails Boulevard are proposed to include full half-street improvements inclusive of pavement, curb and gutter, sidewalks, street lights, and landscaping. Traffic signals are anticipated at the intersection of Cotton Lane and Yuma Roads, at the ¼ and ½ mile points along Cotton Lane, and just east of the ¼ mile point along Yuma Road.

The Canyon Trails development agreement designates the future right-of-way for the Loop 303 adjacent to Cotton Lane as a linear park. The developer will landscape the park area with shrubs, groundcover, and decomposed granite. Per the Canyon Trails development agreement, the linear park will be dedicated to the City. Once a contiguous ½ mile section of park is improved, the City will assume maintenance responsibilities for this area.

The center will be served by City water and sewer service. Water will be provided from an existing waterline in Yuma Road. Sewer service will be provided from the future Cotton Lane trunk line that will be constructed by Centex Homes. Wastewater treatment will occur at the City's 157<sup>th</sup> Avenue facility.

#### Public Participation

A neighborhood meeting was held on February 23, 2005, at Goodyear City Hall. Notice of the meeting included a mailing to surrounding property owners, an ad placed in the West Valley View, and a sign posted on the property.

Three residents from the surrounding area were in attendance. Most of the questions revolved around the extent and timing of future road improvements. No opposition to the project was raised at the meeting.

Notice for the public hearing before the Planning and Zoning Commission included a mailing to surrounding property owners, an ad placed in the West Valley View, and a sign posted on the property.

#### Planning and Zoning Commission Work Session – April 6, 2005

The Planning and Zoning Commission discussed this item at a work session held on April 6, 2005 (See Exhibit). The Commission heard a presentation on the project from staff and then directed questions and comments to the applicant. Issues raised at the meeting included, among others, the extent of the requested signage, the building massing, increased integration of the open space system into the project, and the treatment of the parking lot.

#### Planning and Zoning Commission Regular Meeting – April 20, 2005

The item was discussed at a public hearing before the Commission on April 20, 2005 (See Exhibit). Remaining issues of concern to the Commissioners included the proximity of a proposed school site to the commercial center, the proposed location of any electrical substations required to serve the project, and the maximum allowable area for wall signs. The Commission continued the item to its May 4, 2005, special meeting to allow for resolution of these issues.

Three residents from the adjacent area addressed the Commission at the public hearing. Ms. Diane Burnett was concerned about the center's size and proximity to residential uses. Mr. Rob Tibbs asked how much traffic would be dispersed onto Canyon Trails Boulevard. Finally, Mr. Mike DeRosier asked about what would be done with the irrigation ditches located on the property. The applicant responded that the buffering between the commercial and residential uses, at 220 to 280 feet, was larger than is typically the case, that it is anticipated that most patrons of the center will use Cotton Lane and Yuma Road for ingress/egress to the center, and that the ditches would be placed underground to ensure that the flow of water would remain uninterrupted.

#### City Council Work Session Meeting – May 2, 2005

A City Council work session meeting was held on May 2, 2005 to provide the Mayor and City Council with the opportunity to be briefed on the project and to identify any issues that should be addressed. At that meeting many of the issues raised by the Planning and Zoning Commission were discussed including the school site issue, lighting and signage, and several additional issues were identified including accessibility to the trail system; the double wall proposed along the drainage channel/trail; the design of the parking lot; the potential for truck traffic on Canyon Trails Boulevard; building height; construction phasing; and the lack of design creativity of the big boxes on the site.

#### Planning and Zoning Commission Special Meeting – May 4, 2005

After the April 20th Commission meeting, staff received information on two of the items of concern to the Commission. APS has indicated that an electrical substation is not needed to serve this site since the electrical infrastructure already is in place to serve the project (See Exhibit). Regarding wall signage, staff is proposing a maximum limit on wall signage based on building size, which is captured in a revised Stipulation No. 22. The limits are based on the signage permitted for several existing/planned commercial uses in the City, including Wal-Mart (± 585 square feet), Target (362 square feet), and Best Buy (224 square feet). Staff was also able to review the traffic report for the project in response to the question from Mr. Tibbs. Per the report, 37 AM and 162 PM peak trips to and from the center will be generated onto Canyon Trails Boulevard in the year 2020.

A second public hearing on this case was conducted by the Planning and Zoning Commission at a Special Meeting held on May 4, 2005. At that time, additional information was presented to the Commission by staff regarding the relationship of this project to the Land Use Plan map contained within the General Plan document; the position of the Avondale School District regarding the proximity of the project to a proposed school site; the projected fiscal impact of the project (see fiscal impact section); revised stipulations regarding lighting and signage; and new stipulations regarding truck access to Canyon Trails Boulevard, and the screen walls on the west side of the drainage channel/trail. It was noted by staff that the

amount of area shown on the General Plan's Land Use Map was approximately 90 acres, but the map did not show the Regional Commercial land use classification extending north all the way to Canyon Trails Boulevard. It was pointed out that Mr. Hilby and Mr. Wilson had prepared a timeline and information packet for this project which showed that the owners had requested that the map be adjusted before it was adopted to include all of the land on the east side of Cotton Lane from Yuma Road to Canyon Trails Boulevard as Regional Commercial in anticipation of development of this commercial center. Although the map was not adjusted to reflect this action, it apparently was the intent of the Planning and Zoning Commission and City Council to allow this change based on the minutes from the meetings at which that adjustment was requested. It was also noted that even if the Land Use Map was used as is, the General Plan land uses were intended to be general locations and the General Plan allows for minor adjustments. Changes that are less than 20 acres requires no formal minor or major amendment to the General Plan, nor do changes between 20 and 160 acres as long as they do not represent a change that is greater than 20% of the land area contained within the originally approved development. The proposed change in land use, relative to what is shown on the General Plan Land Use Map, has been estimated at about 22 acres in size and it is far less than a 20% change in the land uses for the Canyon Trails Planned Development, as shown on the General Plan Land Use Map. It was also noted by staff that two letters had been submitted by Dr. Stafford, Superintendent of the Avondale School District regarding the proposed school site. Dr. Stafford expressed concerns about the school site itself involving access to and from the site and traffic levels on the adjacent collector roadway. Dr. Stafford also indicated that an alternative school site was offered by Taylor Woodrow in its next phase of development south of Yuma Road, however, she preferred not to have another school site south of Yuma Road and preferred to keep the proposed school site at its present location. Staff pointed out that in her second letter, Dr. Stafford mentioned that discussions regarding ways to improve the proposed school site were underway with Taylor Woodrow and the City and she renewed her request that the developer of the Canyon Trails Towne Center consider assisting the school with access to overflow parking if feasible.

The Planning and Zoning Commission discussed the proposed school site at length and its concerns regarding the size of the site and the adequacy of access available to the site. There were also concerns raised about the design of the parking lot; the lack of connectivity between the proposed shopping center and the residential area to the east; and phasing of the project. To address the parking lot design issue, Stipulation Number 14, was clarified at the request of the Commission to include a requirement that the parking lot design comply with the parking lot standards in the City of Goodyear Design Guidelines and Large Retail User Ordinance. After discussion, the issues of connectivity to the residential area and the phasing of the project were not addressed further. The Commission expressed strong concerns regarding the proposed school site, how it was sited, and the types of problems that could be anticipated. It was noted by Mr. Hilby, the owner of the property, that Taylor Woodrow Homes had offered to eliminate several lots and relocate some of the park amenities from the school site to the area formerly occupied by those lots to free up more land within the school site to better address the issues of parking and traffic circulation. He further noted that work was being done jointly by Taylor Woodrow's engineer and the School District's architect regarding the design of the school site which should be done prior to consideration of this case by the City Council.

Mr. Ralph Pew, representing Vestar Development Company, provided the Commission with information with respect to the concerns and issues that were raised. He noted that the



applicant was agreeable to the revised stipulations and additional stipulations and that work would continue on the school site issues. He also requested that the Commission consider taking timely action on the case due to the upcoming annual shopping center convention which provides the best opportunity to secure leasing commitments for this type of project.

Ms. Diane Burnett, 16577 W. Monroe Street, appeared before the Commission and expressed her concerns regarding the proposed change in land use; the proximity of the school site; the lighting and sign package; and a lack of consideration by the City of public input. Ms. Jennifer Burnett, 16600 W. Monroe Street, appeared and expressed similar concerns and urged the Commission to continue the case for further deliberation. She also objected to providing any connectivity between the shopping center and the adjacent residential neighborhood.

The Planning and Zoning Commission, by a vote of 5 to 1, approved a motion to recommend approval of Case Z-17-04 subject to compliance with all of the revised and additional stipulations. Some of the Planning and Zoning Commission members also expressed their intent to follow-up on the school site issue with the expectation that it will be resolved before action is taken by the City Council on this application.

After the Planning and Zoning Commission meeting, staff added one stipulation to clarify that the C-2 General Commercial District would be used for the underlying zoning district for uses and setbacks, except that a zero side setback would be permitted where a building shares a common wall with another building. The C-2 district otherwise requires a 20 foot side setback for a freestanding building.

#### Analysis

The Canyon Trails Towne Center project must proceed through the normal development review process. This will include completion of the Major Amendment to the PAD, approval of any required Special Use/Use Permits, site plan review, and preliminary and final plat approval for any land subdivisions. Additional public hearings before the Planning and Zoning Commission and City Council will be held as required.

The Major Amendment is consistent with the General Plan since the Plan anticipated the development of a significant commercial center between 80 and 90 acres at this location. As such, amending the Canyon Trails PAD to permit commercial uses on the property would be consistent with its Regional Commercial land use designation. As for commercial development on property envisioned for residential land uses, the General Plan permits flexibility with large PADs. Since the approximate 23 acres designated as Medium-High Density Residential and Low Density Residential comprises only 1% of the 2,018 acres that make up the Canyon Trails PAD, commercial use of this area would be permitted without any amendment to the General Plan. Finally, the linear park along Cotton Lane coincides with the area designated as Open Space on the General Plan. Given the above, the proposed commercial development is consistent with the General Plan Land Use Map.

Along with the application for the Major Amendment, the applicant also submitted applications for a Use Permit for a car wash and a Special Use Permit for a Large Retail User (LRU), which is a singular retail user with 100,000 square feet or more of floor area. With 120,000 square feet, the large anchor qualifies as a LRU and will therefore require an approved Special Use Permit. The Special Use Permit will be reviewed for compliance with

the appropriate standards designated in the Zoning Ordinance and LRU ordinance, which was adopted by the City Council in June of 2004. The applications for the car wash and LRU will require public hearings before the Planning and Zoning Commission and City Council. The LRU site plan also requires Commission review and Council approval. It is anticipated that the Use Permit for the car wash will be presented to the Commission on April 20, 2005, with the Special Use Permit for the LRU likely following a month or two later. A stipulation of approval has been included to require modification of the conceptual master site plan in the event these uses are not approved.

The Major Amendment to the PAD included three associated requests for deviations to the Zoning Ordinance. A Major Amendment is an appropriate instrument to request such deviations since PADs may include standards and criteria that differ from those regulations pertaining to other zoning districts as long as such standards are part of a zoning approval. Presented below is a discussion on each requested deviation:

Increased Building Height – The requested overall height increase of 5 feet is minimal while the increased height for architectural embellishments would allow for interesting roof lines and focal points to be created. Taller buildings should not overwhelm the site since, at 91-acres, it has a large land area.

Increased Light Pole Height – The Canyon Trails PAD limits light pole heights to a maximum of 15 feet within 150 feet of any green belt or single-family area. Light poles outside of this area could be built to a taller height and not adversely affect the surrounding area as long as the lighting is constructed to generally accepted principles of proper lighting. Lighting stipulations from the PAD Amendment and future site plan reviews will help ensure this desired outcome.

Waiver of Parking Pod Requirement – The LRU Ordinance requires that parking lots serving a LRU be designed as a series of parking pods containing between 50 and 75 spaces. The intent of this provision is to break up the large expanse of parking that usually accompanies such uses and to provide a pedestrian friendly environment. The request to provide landscape diamonds and islands in lieu of the pods would provide for additional landscaping in the parking lot, but they would not physically break up the parking lot to the extent required by the ordinance, nor would they provide for an enhanced pedestrian design. Stipulation No. 14 requires compliance with the parking lot standards contained within the City's Design Guidelines and Large Retail User Ordinance.

A comprehensive sign plan is required since the center will contain more than three businesses. The sign plan is also being proposed since the applicant is seeking several deviations to the sign code. Deviations are permitted with a sign plan if the City Council deems the requested deviations to be justified. Staff supports many of the requested provisions since a commercial center of this size and scope will warrant unique sign criteria. These have been addressed in a revised Stipulation No. 22. The one provision of the sign plan that staff does not support is the request for three freeway pylons. The approval of freeway pylons is premature since the completion of the Loop 303 in this area is still approximately ten to fifteen years distant. The freeway's design and/or alignment could change in this time period, which would then have an affect on the signage for the center. Approving pylons now could result in signage out of context with the area should things

change. Once the Loop 303 is constructed, it would then be an appropriate time for the City Council to consider an amendment to the sign plan for one freeway pylon. This would help ensure that the pylon's height, design, and location were appropriate given the freeways final configuration.

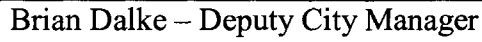
The design guidelines submitted with the Major Amendment will ensure that a high quality development is created. Conceptual building elevations submitted with the Major Amendment provide for a mix of complementary colors and show buildings constructed with a variety of materials, including stone, masonry, and brick, along with a combination of metal and tile roofing.

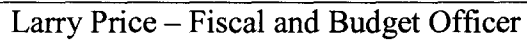
### **FISCAL IMPACT:**

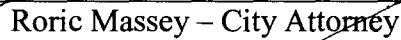
The economic impact analysis for the single-family land uses of Canyon Trails Phases One and Two indicates a cumulative negative impact of approximately \$8.5 million on the General Fund over a 10-year period, which does not include construction sales tax. Including construction sales tax revenues, the negative fiscal impact is reduced to approximately \$3 million over a 10-year period. If the commercial and multi-family land uses are included in the economic impact analysis, the project has a positive fiscal impact of approximately \$15,389,804 (NPV) on the General Fund over a 10-year period.

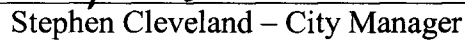
Additional information provided by Vestar Development Company now suggests that the proposed Canyon Trails Towne Center will generate tax revenue in the amount of approximately \$47,000,000 over a ten year period based on retail sales tax alone. The original Canyon Trails Planned Development upon which the economic impact analysis referenced above was based anticipated commercial development on only 22 acres at the northeast corner of Yuma Road and Canyon Trails Boulevard, a significantly smaller amount than the 94 acres now planned in the Canyon Trails Towne Center.

**REVIEWED BY:**

  
Brian Dalke – Deputy City Manager

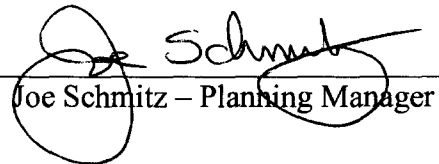
  
Larry Price – Fiscal and Budget Officer

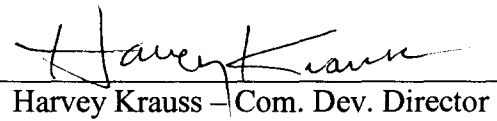
  
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