City of Avondale

City Council Online Meeting

Tuesday, September 7, 2021

Mayor and Council

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Pat Dennis, Council Member

Bryan Kilgore, Council Member | Curtis Nielson, Council Member

Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager

Cherlene Penilla, Assistant City Manager

Tracy Stevens, Deputy City Manager | Lindsey Duncan, Deputy City Manager

Nicholle Harris, City Attorney | Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: https://avondaleaz.zoom.us/j/99706985158

Using a Mobile Device? Download the Zoom Cloud Meeting App

Join the meeting with audio only: Call 301-715-8592 (meeting ID: 997 0698 5158)

City Council Online Meeting
Notice & Agenda
Tuesday, September 7, 2021

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Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email a request to speak to PublicComment@AvondaleAZ.gov prior to consideration of that agenda item.

REGULAR MEETING
7:00 PM

CALL TO ORDER BY MAYOR
PLEDGE OF ALLEGIANCE &
MOMENT OF REFLECTION

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES
(Time is limited per person. Please state your name.)

3. PRESENTATION ITEMS

a. PROCLAMATION RECOGNIZING DAVID IWANSKI
City Council will present a proclamation to former Council Member David Iwanski for his willingness to continue to serve Avondale as an appointed member of various Boards and Commissions, helping make Avondale the best city it can be. This item is for discussion only.

b. INTRODUCTION OF NEW EMPLOYEE
Public Works Department staff will introduce the new Transit Manager, Matthew Dudley. This item is for discussion only.

c. CITY MONSOON RESPONSE AND GILA BEND ASSISTANCE
City Council will recognize the Public Works Department for their efforts in responding to monsoon flooding and damage within the City, and assistance with recovery efforts within the Town of Gila Bend. This item is for discussion only.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPOINTMENT OF CHAIR AND VICE CHAIR TO THE PLANNING COMMISSION

City Council will consider a request to appoint Christopher Thompson as the Chair of the Planning Commission and Lisa Osborne as the Vice Chair of the Planning Commission for the remainder of the 2021 calendar year. The Council will take appropriate action.

b. BUDGET AMENDMENT AND AWARD AUTHORITY - MCDOWELL RECHARGE BASIN

City Council will consider a request to approve a $33,000 increase to the administrative award authority for the McDowell Recharge Basin Improvements (22169); a budget transfer in the amount of $33,000 from the Water Operating Budget to the Water Capital Budget to fully fund the project (U0078), adjust the interfund transfer schedule, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. AWARD AUTHORITY FOR PUBLIC WORKS FISCAL YEAR 2022 OPERATING BUDGET

City Council will consider a request to amend the Administrative Awarding Authority for certain operating products and services for FY2021-2022 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. ORDINANCE 2042-0921 ACCEPTING OF PUBLIC UTILITY EASEMENT (PUE) DEDICATION BY MARICOPA COUNTY ON THE SOUTH SIDE OF HARRISON STREET

City Council will consider a request to adopt Ordinance 2042-0921, accepting a Public Utility Easement dedicated by Maricopa County on the south side of Harrison Street, located just East of 4th Street, for the installation of new streetlights and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. ORDINANCE 2043-0921 - GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) FOR THE NEW BLVD WATER FEATURES

City Council will consider a request to adopt Ordinance 2043-0921, granting an Electrical Easement to Salt River Project for the new BLVD Water Features and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. RESOLUTIONS 1071-0921 AND 1072-0921 – ROOSEVELT PARK II PHASE 4 MAINTENANCE IMPROVEMENT DISTRICT

City Council will consider a request to: (a) approve a Petition for Formation; (b) adopt Resolution 1071-0921, declaring its intention to form the City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, providing for the assessment, and; (c) adopt Resolution 1072-0921, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment, declaring an emergency; and (d) authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. FINAL PLAT – ROOSEVELT PARK II PHASE 4 - APPLICATION PL-21-0182

City Council will consider a request by Mr. Joe Petrucci, EPS Group, Inc., for approval of a Final Plat for Roosevelt Park II Phase 4, approximately 15.43 gross acres (12.16 net acres) located at the southwest corner of 107th Avenue and Roosevelt Street. Consistent with the Preliminary Plat approved by City Council on July 5, 2021, the proposed Final Plat will create 56 single-family residential lots, eight (8) common area open space/landscaping tracts, and a tract to accommodate private streets within Phase 4, and dedicate easements as needed to serve the future development. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for this parcel as a separate agenda item. The Council will take appropriate action.

h. FINAL PLAT OF AVONDALE AUTO MALL PHASE 2 LOT 11D FOR AUTONATION USA (RE-PLAT OF AVONDALE AUTO MALL PHASE 2 LOT 11A AND LOT 12) - APPLICATION PL-21-0137

City Council will consider a request by Mr. Traver Jones, Kimley-Horn and Associates, on behalf of AutoNation USA, for approval of a Final Plat for Avondale Auto Mall Phase 2 Lot 11D. The proposed Final Plat consolidates two (2) existing parcels located at the northeast corner of 107th Avenue and Roosevelt Street into a single 7.94-acre lot and dedicates right-of-way to accommodate future widening of 107th Avenue. Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING AND ORDINANCE 2044-0921 - VAN BUREN 101 - REZONE MAJOR AMENDMENT TO THE INTERSTATE COMMERCE CENTER PAD - PL-21-0080

City Council will hold a public hearing and consider a request to adopt Ordinance 2044-0921, approving a rezone request by Adam Baugh, Withey Morris PLC, for a Major Amendment to the Interstate Commerce Center Planned Area Development (PAD) to revise the PAD's permitted uses to allow warehouse and distribution uses as a primary use on Lot 11 of the Interstate Commerce Center, which is 5.50 net acres of vacant land located at the northeast corner of 101st Avenue and Van Buren Street. Permitted uses on other parcels within the Interstate Commerce Center PAD are not modified by the proposed Amendment and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

6. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Proclamation Honoring David Iwanski

September 7, 2021

A proclamation of the Council of the City of Avondale, Arizona, honoring David Iwanski for his dedicated service to the Avondale community as both a Council Member and appointed Board and Commission Member.

WHEREAS, David Iwanski became a resident of the City of Avondale in May of 2004 where he quickly became involved as an appointed volunteer through the City's Board and Commission program; and

WHEREAS, David Iwanski was appointed as a City of Avondale Council Member on June 9, 2014 and served until his term expiration of December 31, 2016; and

WHEREAS, David Iwanski continued to serve the City of Avondale community as an appointed Board Member to the Public Safety Personnel Retirement System Board and an appointed Commissioner to the Planning Commission; and

WHEREAS, most recently, David Iwanski was appointed to serve as Chair of the Planning Commission on December 7, 2020; and

WHEREAS, David Iwanski resigned as a Board and Commission Member of the City of Avondale in September 2021 as he and his wife are moving out of the city to be closer to family; and

WHEREAS, David Iwanski will be greatly missed and warmly remembered as Helpful, Kind and Professional by those who had the privilege of working with him.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, that the City of Avondale hereby wishes to express its sincere gratitude and appreciation to David Iwanski for his years of leadership and dedication to the City of Avondale.

Kenneth Weise

Mayor

Attest: M. Cassidy

City Clerk

Item Number: 3.c.

CITY COUNCIL REPORT

SUBJECT: City Monsoon Response and Gila Bend Assistance

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kirk Beaty, Public Works Director, (623) 333-4417

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the Public Health and Safety Avondale Strategic Outcome Area. Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources. Staff are committed to providing support outside of the City boundaries when surrounding cities or towns may be in need of assistance.

PURPOSE:

City Council will recognize the Public Works Department for their efforts in responding to monsoon flooding and damage within the City, and assistance with recovery efforts within the Town of Gila Bend. This item is for discussion only.

BACKGROUND:

The active 2021 Monsoon has caused local street flooding and damage within the City. Public Works crews prepared for the monsoon season and have responded late at night and on weekends to clear flooded roads and drainage areas, and remove trees blocking roadways. Additionally, crews were requested to respond to the Town of Gila Bend to assist in recovery efforts after a devastating flood impacted the Town.

DISCUSSION:

The Public Works Department began preparations for the 2021 Monsoon in early June, which included checks and maintenance of equipment; ensuring supply stocks for sandbags, fuel, and water treatment chemicals; staging equipment; testing systems; clearing drainage ways; and trimming trees to prevent damage. In mid-June, Public Works hosted a Monsoon Preparedness Meeting with internal staff and other City Departments to review response preparations, and procedures for interdepartmental coordination. Procedures for on-call staff were reviewed, emergency notification procedures for City Management were defined, and a program was developed to provide pre-filled sandbags to residents, which were made available at City Fire Stations and the MOSC. During the season thus far, Public Works staff have responded on multiple occasions, including late evenings, early mornings, and weekends, to clear trees from roadways and to relieve local street flooding, and have filled hundreds of sandbags for City residents. The busiest response so far was Sunday, July 25th, 2021, when record-setting rains fell all weekend across the Valley; and the Public Works Department held an

after-action meeting ("hot wash") with internal staff, Police, and DES personnel to review the effectiveness of our response on that day. At the conclusion of this monsoon season, Public Works will host a final after-action meeting with other Departments to review overall response efforts for the season, identify items of success, and determine areas needing improvement. While certain members of the Public Works team have been front and center in responding to issues in the field, the entire Public Works Department, Public Safety, DES, and others have worked collaboratively to ensure City residents, businesses, and property were protected during the 2021 Monsoon.

Additionally, the Public Works Department assisted the Town of Gila Bend as it recovered from a devastating flood that occurred on August 14th, 2021. The Public Works Department coordinated with Town officials and provided staff and equipment to help clear sanitary sewer mains that were filled with silt and debris deposited from the flood waters. The Avondale team worked along-side Gila Bend public works personnel, as well as responders from the City of Peoria and Maricopa County. The Town of Gila Bend has expressed their appreciation for our assistance and praised the Avondale team for their outstanding work.

BUDGET IMPACT:

No budget impact - this item is for discussion only.

RECOMMENDATION:

This item is for discussion only.

Item Number: 4.a.

CITY COUNCIL REPORT

SUBJECT: Appointment of Chair and Vice Chair to the Planning Commission

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Marcella Carrillo, City Clerk, (623) 333-1214

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the Connected Community Strategic Outcome Area. Avondale will work directly and closely with our communities to develop programs and infrastructure that connect residents to the city's resources, the region, and each other. The Board & Commission program was created to expand community engagement opportunities for residents.

PURPOSE:

City Council will consider a request to appoint Christopher Thompson as the Chair of the Planning Commission and Lisa Osborne as the Vice Chair of the Planning Commission for the remainder of the 2021 calendar year. The Council will take appropriate action.

BACKGROUND:

On December 7, 2020, David Iwanski was appointed as the Chair for the Planning Commission and Christopher Thompson was appointed as the Vice Chair for the Planning Commission. On July 15, 2021, David Iwanski submitted a letter of resignation to be effective on September 1, 2021 as he is moving out of the state.

DISCUSSION:

The Bylaws for the Planning Commission require that any vacancy for Chairperson or Vice Chairperson shall be filled from the Commission membership by the Council, for the remainder of the term. Staff recommends Christopher Thompson as Chair and Lisa Osborne as Vice Chair. The members will serve in these partial positions for the remainder of 2021.

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

Staff is recommending the appointment of Chris Thompson as the Chair of the Planning Commission and Lisa Osborne as the Vice Chair of the Planning Commission for the remainder of the 2021 calendar year.

Item Number: 4.b.

CITY COUNCIL REPORT

SUBJECT: Budget Amendment and Award Authority - McDowell Recharge Basin

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Director, (623) 333-4022

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.

Approval of funding request will replace a key non-functioning component at the McDowell Recharge facility and improve the City resources for delivery of water services to the Avondale community.

PURPOSE:

City Council will consider a request to approve a $33,000 increase to the administrative award authority for the McDowell Recharge Basin Improvements (22169); a budget transfer in the amount of $33,000 from the Water Operating Budget to the Water Capital Budget to fully fund the project (U0078), adjust the interfund transfer schedule, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The McDowell Recharge Basin Improvement Project is a pipeline replacement/improvement project to construct a new gravity-flow water delivery line and outlet structure to deliver recharge water to one of the recharge basins at the facility. The new water delivery line replaces an existing delivery line and structure which is not functioning properly. The construction project has been delayed due to a protracted process to receive construction approval from Tucson Electric Power (TEP), who has an easement over the area of construction.

Funding for this project is in the FY2022 Capital Improvement Plan (CIP) with $82,000 remaining for construction. Design for the project was budgeted and expended in a prior budget year. Estimated construction costs for the project are $115,000. The administrative award amount for the project is set at $90,000.

DISCUSSION:

The approval process to obtain construction approval/clearance for the construction within their electric easement in the construction area required extensive coordination with TEP. Multiple plan and material

changes were required to meet design and separation requirements. Following creation and execution of a Consent Agreement with TEP, construction clearance was granted. Due to the delay in construction approval/clearance from TEP, estimated construction costs have risen with current market prices and conditions. B&F Contracting, our preferred JOC Contractor for this type of work, has provided a proposal in the amount of $114,753 to construct the project.

$115,000	Project Total
-$82,000	Approved Funding
$33,000	Minimum Additional Funding Needed

Staff recommends a budget transfer of $33,000 from the Water Operating Budget to the Water Capital Budget to fully fund the project and a corresponding $33,000 increase to the project's FY2022 Administrative Award (item 22169) to provide adequate spending authority.

The work for this contract shall include the following:

- Construction of new water delivery line and outlet structure to Recharge Basin 4.
- Connection of new water delivery line to the existing flow control structure at the facility.
- Site grading as necessary to restore those basin bottom and sideslope areas in Recharge Basin 4, disturbed by construction, to their original condition and grade. Also includes site grading of the surface over the pipeline route to restore access roads, etc.

Construction time is estimated to be 120 calendar days from Notice to Proceed, with an anticipated completion date in December 2021.

BUDGET IMPACT:

There will be a net zero budget impact due to savings in the Water Operating Budget.

RECOMMENDATION:

City Council will consider a request to approve a $33,000 increase in administrative award authority for the McDowell Recharge Basin Improvements (22169), a budget transfer in the amount of $33,000 from the Water Operating Budget to the Water Capital Budget to fully fund the project (U0078), adjust the interfund transfer schedule, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

Item Number: 4.c.

CITY COUNCIL REPORT

SUBJECT: Award Authority for Public Works Fiscal Year 2022 Operating Budget

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kirk Beaty, Public Works Director, (623) 333-4430

THROUGH: Tracy Stevens, Deputy City Manager, (623) 333-1014

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Innovative Program and Service Delivery - Avondale will continue to serve as a model of innovative, efficient, and responsive government.

Establishing and updating administrative award authority provides streamlined processes and responsible financial planning for procurement of goods and services that support City operations and ensure consistent customer service delivery.

PURPOSE:

City Council will consider a request to amend the Administrative Awarding Authority for certain operating products and services for FY2021-2022 and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Over the last two years, the City has established the list of line items for Administrative Award, which was approved with the Annual Budget adoption. On June 7, 2021, the City Council adopted Resolution 1047-0621 approving the final budget for fiscal year 2021-2022 (FY2022). The Administrative Award document was attached as Exhibit B and approved as part of that adopted budget and governs the maximum Administrative Awarding Authority on services or commodities over $50,000.

DISCUSSION:

Public Works has numerous services and commodities required as part of the daily operations for delivery of essential services. After Public Works and Procurement Staff performed a detailed analysis of the services and commodities contracts with spending in excess of $50,000, it has been determined that the Administrative Awarding Authority for certain line items under Public Works Operations needs to be increased or established for certain necessary services and commodities. This request establishes Administrative Awarding Authority for commodities and services not previously included in the Administrative Award document and increases the Administrative Awarding Authority to account for growth and market for other items currently on the Administrative Award document. Approval of the amended Administrative Award items does not increase the Public Works operating budget, only the ability to spend up to approved limits on defined services and commodities within the approved budget.

BUDGET IMPACT:

This action has no net increase to the overall budget.

RECOMMENDATION:

Staff recommends City Council amend the Administrative Awarding Authority for certain operating products and services for FY2021-2022 as outlined in the attached document and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

OPERATING ITEMS FY2022 Line Items for Administrative Award			
Public Works		FY22	FY22 Revised
Reference	Description	Admin. Award	Admin. Award
22505	Landfill Fees	$ 1,113,000	$ 1,500,000
22511	Professional Services - Sludge and Biosolids Hauling	$ 250,000	$ 300,000
22513	Security Services	$ 90,000	$ 100,000
22528	Water/Wastewater Parts and Supplies	$ 1,000,000	$ 1,200,000
22531	Tires, Tubes and Batteries	$ 161,000	$ 175,000
22535	Replacement Pumps & Motors	$ 300,000	$ 600,000
(New) 22536	Facilities Management Products & Services (Uniforms, First Aid Stations, Fire Extinguisher Service, etc.)	$ -	$ 110,000
(New) 22537	Landscaping Services	$ -	$ 220,000
(New) 22538	Manhole Rehabilitation	$ -	$ 150,000
(New) 22539	Chemical Storage Tanks	$ -	$ 100,000
(New) 22540	Curbside Containers	$ -	$ 175,000
(New) 22541	Furniture	$ -	$ 60,000
(New) 22542	Repair and maintenance (R&M) Lift Stations	$ -	$ 100,000

Item Number: 4.d.

CITY COUNCIL REPORT

SUBJECT: Ordinance 2042-0921 Accepting of Public Utility Easement (PUE) dedication by Maricopa County on the south side of Harrison Street

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Public Health and Safety - Avondale is a city where all people feel safe and secure, relying on trusted public and community-based resources. Accepting of PUE will allow the city to install street lights and enhance safety on the roadway.

PURPOSE:

City Council will consider a request to adopt Ordinance 2042-0921, accepting a Public Utility Easement dedicated by Maricopa County on the south side of Harrison Street, located just East of 4th Street, for the installation of new streetlights and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale is installing new streetlights on the south side of Harrison Street, just east of 4th Street. The lights are required to be installed in a PUE. The property on the south side of Harrison Street is currently owned by Maricopa County. The City of Avondale approached the county for the dedication of PUE fronting their property.

DISCUSSION:

Street light installation requires a PUE, the dedication by Maricopa County shall be accepted

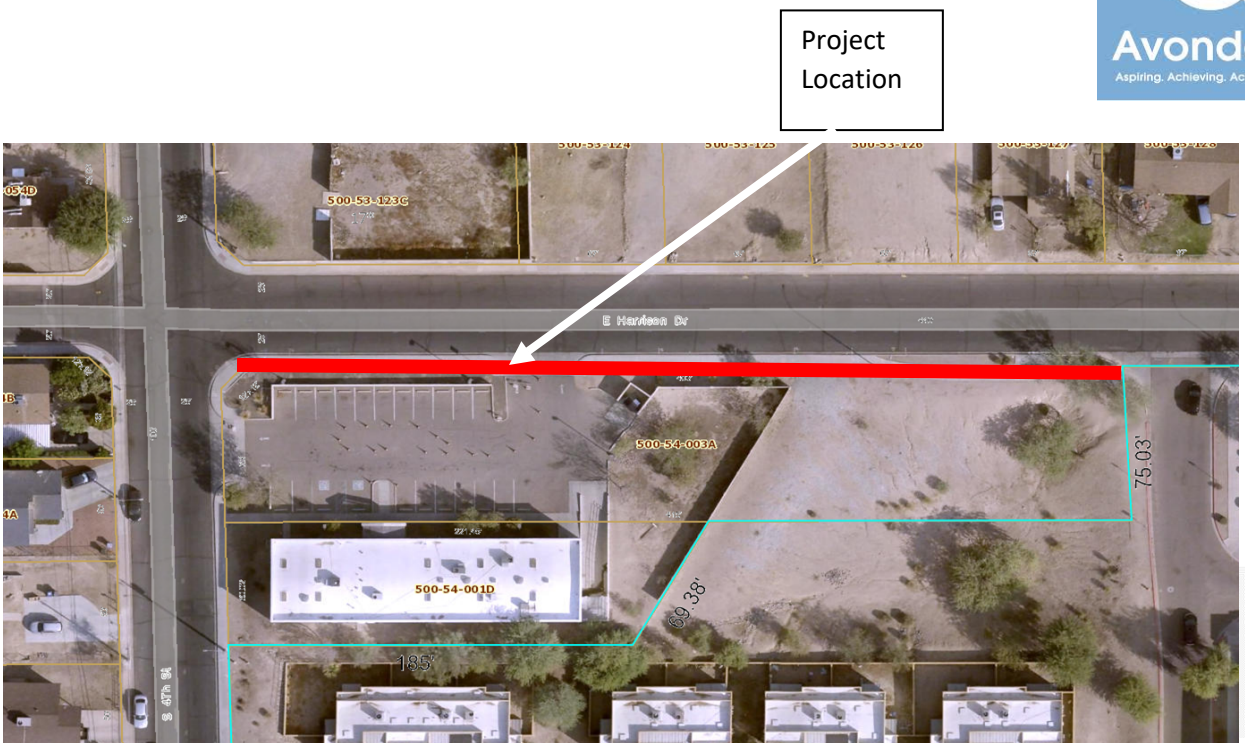
BUDGET IMPACT:

The acceptance of the PUE will have no budgetary impacts to the City.

RECOMMENDATION:

Staff recommends that the City Council adopt an ordinance accepting the dedication of PUE by Maricopa County and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents.

Project Location Map for Harrison and 4th Street



ORDINANCE NO. 2042-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, ACCEPTING THE DEDICATION OF A PUBLIC UTILITY EASEMENT FOR PUBLIC USE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. A public utility easement over, across and under ± 0.0748 acres of real property generally located along the south side of Harrison Drive, east of 4th Street, in Avondale, Arizona, as more particularly described and depicted in Exhibit 1, attached hereto and incorporated herein by reference, is hereby accepted in substantially the form and substance set forth in Exhibit 1, by the City of Avondale (the "City") from Maricopa County, a political subdivision of the State of Arizona.

SECTION 2. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to take all steps and execute all documents necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 7, 2021.

_____
Kenneth N. Weise, Mayor

ATTEST:

_____
Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

_____
Nicholle Harris, City Attorney

EXHIBIT 1
TO
ORDINANCE NO. 2042-0921

[Public Utility Easement]

See following pages.

When recorded, Return to:
City of Avondale
Engineering Department

EXEMPT ARS 11-1134, A3

C-78-22-089-X-00

PUBLIC UTILITY EASEMENT

Project No.: MC10134
Project Name: Agua Fria Food and Clothing Bank – City of Avondale Street Light Project
Assessor's Parcel No.: 500-54-003A
Item No.: N/A

This easement for streetlight purposes is entered as of the last date executed below by and between the following parties.

GRANTOR: MARICOPA COUNTY, a political subdivision of the State of Arizona

GRANTEE: CITY OF AVONDALE, a municipal corporation of the State of Arizona

FOR AND IN CONSIDERATION of the sum of **Ten and no/100 Dollars ($10.00)**, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **GRANTOR** does hereby grant and convey to **GRANTEE**, a non-exclusive Public Utility Easement ("Easement") on, over, under, across, and through the real property described in Exhibit "A", and depicted on Exhibit "B", which are both attached hereto and made a part hereof (collectively, "Easement Area"), for the purpose of construction, operation, repair, and maintenance of streetlights, and all associated appurtenances (collectively "Facility"), together with: (1) the right of ingress and egress across **GRANTOR'S** property to access the Easement Area to permit the economical operation and maintenance of Facility; (2) the right, but not the obligation, to cut back and trim such portions of trees and vegetation that obstructs or interferes with the efficient maintenance and operation of the Facility; and (3) the right to maintain the Facility, including all incidental purposes consistent therewith.

RESERVING however to **GRANTOR** such rights and privileges as may be used and enjoyed the Easement Area by **GRANTOR** without interfering with or abridging the rights herein granted to **GRANTEE**, provided however, **GRANTOR** shall not construct, or permit the construction of, any permanent structures in the Easement Area. Any and all uses of the Easement Area by the GRANTEE shall be subject to all federal, state and local laws and ordinances with respect to environmental issues and land use.

If any **GRANTOR** facility, or **GRANTOR**-authorized facility, causes interference with **GRANTEE'S** Facility, then the **GRANTOR** and/or the facility owner shall, at its sole cost and expense, take all necessary action to eliminate such interference.

The **GRANTEE** shall, at its sole cost and expense, maintain the Facility and Easement Area in a state of good repair and in a safe condition. **GRANTEE** shall also be required to operate and maintain the Facility in a manner which will not unreasonably interfere with the **GRANTOR'S** rights reserved within this Easement.

In the event **GRANTEE** removes the Facility, or in the event the Easement Area ceases to be used for the purposes it was granted, or in the event of any other event giving evidence to **GRANTOR** that the **GRANTEE** has abandoned the use of this Easement Area, then and in such event, **GRANTOR** shall notify **GRANTEE,** in writing, that **GRANTOR** considers that the Easement Area is no longer being used for the purpose it was granted or has been abandoned. In such event, **GRANTEE** shall respond to **GRANTOR** as to whether the Easement Area is still being used for streetlight purposes or has been abandoned. If the Easement is no longer needed by **GRANTEE**, **GRANTOR** and **GRANTEE** shall execute an abandonment of this Easement which **GRANTOR** shall record in the public records of Maricopa County. Unless and until such abandonment is recorded, this Easement shall remain in full force and effect.

GRANTOR and **GRANTEE**, individually as "lndemnitor," shall indemnify, defend and hold harmless the other party to this Easement ("lndemnitee") including agents, officers, directors and employees thereof, from and against all losses, expenses, or damages of any nature whatsoever that arise out of any negligent act or omission of either lndemnitor pursuant to this

Easement, including but not limited to reasonable attorney's fees, court costs, and other expenses relating to the defense against claims or litigation incurred by lndemnitee. Notwithstanding the above, this Indemnification shall not apply to any damage or loss incurred by anyone as a result of the Grantee fulfilling its statutory obligations according to law. lndemnitee shall be liable for its own negligence or wrongful acts as provided by law. In no event shall the lndemnitor owe or be obligated to pay any amounts which the lndemnitee has not actually paid or has no actual obligation to pay.

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SIGNATURES PAGE(S) FOLLOW

C-7822-089-X-00

GRANTOR:
MARICOPA COUNTY, a political subdivision of the State of Arizona

By_____
Jack Sellers
Chairman of the Board of Supervisors

ATTEST:

_____
Clerk of the Board

Approved as to Form:

By_____
Deputy County Attorney Date

STATE OF ARIZONA)
)
COUNTY OF MARICOPA)

The foregoing instrument was acknowledged before me this 23rd day of June, 2021, by Jack Sellers, the Chairman of the Board of Supervisors, on behalf of Maricopa County, Arizona.

(SEAL and Expiration Date)

AMY D. GABALDON
Notary Public - State of Arizona
MARICOPA COUNTY
My Commission Expires Dec. 15, 2021

_____

GRANTEE ACCEPTANCE:
CITY OF AVONDALE, an Arizona municipal corporation

By_____
Charles A. Montoya,
Avondale City Manager

Approved as to Form:

By_____
City Attorney Date

Exhibit "A"
Attached to Public Utility Easement
Parcel No. 500-54-003A
Project No. MC10134
AGUA FRIA FOOD AND CLOTHING BANK
Item No. MC10134-PUE

LEGAL DESCRIPTION FOR PUBLIC UTILITY EASEMENT

A parcel of land in Section 15, Township 1 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona and being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter of the Southeast Quarter of section 15;

thence along the North line of said Northeast Quarter of the Southeast Quarter, South 89°45'33" East for a distance of 37.73 feet;
thence, departing said North, line South 00°14'27" West for a distance of 25.00 feet to the South right of way line of Harrison Drive and also the **Point of Beginning;**

thence, along said South line, South 89°45'33" East for a distance of 403.17 feet;
thence, departing said South line, South 01°24'11" East for a distance of 8.00 feet;
thence North 89°45'33" West for a distance of 411.17 feet to the Easterly right of way line of 4th Street;
thence, along said Easterly line, North 44°25'08" East for a distance of 11.15 feet to the **Point of Beginning.**

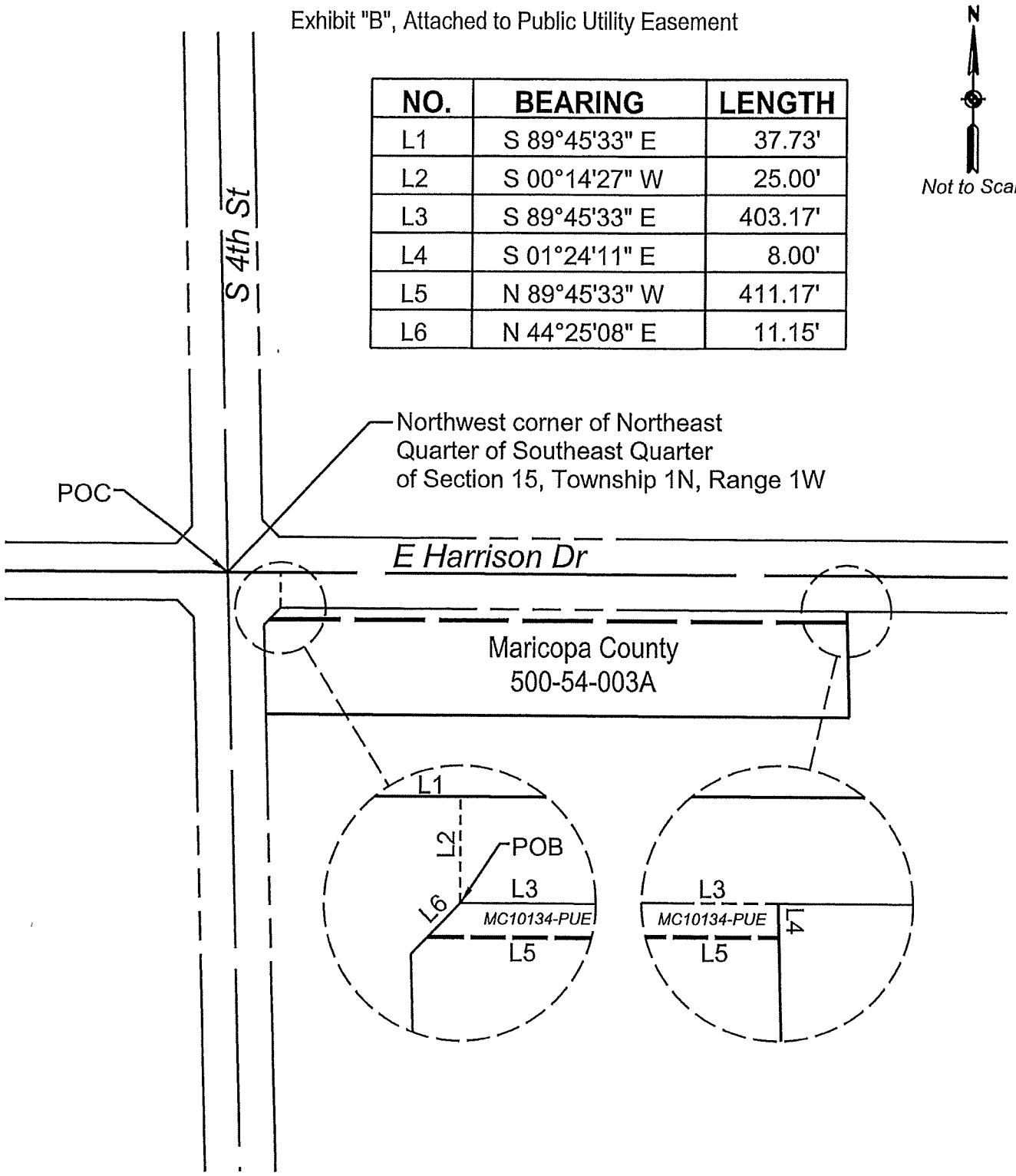
The above described parcel contains 3,257 square feet or 0.0748 acres, more or less, and is depicted on the attached Exhibit "B".

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION		
Prelim: 12/28/2020 HP	Chk:	Appr: KWG 12/29/2020
Rev:		
Maricopa County Real Estate Department		

GRANTOR_____**DATE**_____

Exhibit "B", Attached to Public Utility Easement

NO.	BEARING	LENGTH
L1	S 89°45'33" E	37.73'
L2	S 00°14'27" W	25.00'
L3	S 89°45'33" E	403.17'
L4	S 01°24'11" E	8.00'
L5	N 89°45'33" W	411.17'
L6	N 44°25'08" E	11.15'



Parcel 1 Area: 3,257 square feet or 0.0748 acres
Total Req'd. Area: 3,257 square feet or 0.0748 acres

MARICOPA COUNTY

APN 500-54-003A AUGUA FRIA FOOD AND CLOTHING BANK

PROJECT No. MC10134	ITEM No. MC10134-PUE	DATE 12/28/2020	R/W T.C. Tech HP	Page of

Item Number: 4.e.

CITY COUNCIL REPORT

SUBJECT: Ordinance 2043-0921 - Granting an Electrical Easement to Salt River Project (SRP) for the new BLVD Water Features

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area: Diverse Recreation and Entertainment Opportunities - Avondale provides residents with the ability to connect with amenities, businesses, and their community, enhancing the opportunity to live, work, and enjoy a healthy, active, and affordable lifestyle.

Approval of SRP Easement will allow The BLVD Water Features project to be completed and provide a destination amenity in the Park Avenue District of the BLVD for recreation and encourage development as approved by Council in The BLVD Specific Plan.

PURPOSE:

City Council will consider a request to adopt Ordinance 2043-0921, granting an Electrical Easement to Salt River Project for the new BLVD Water Features and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The City of Avondale is constructing the new BLVD Water Features to provide a new destination amenity in the Park Avenue District of the BLVD for the city.

DISCUSSION:

Salt River Project is the only power company that can provide power to the new BLVD Water Features. In order to provide power, SRP will require an electrical easement for the new connection. This easement will replace SRP's Blanket Easement for parcel APN 102-57-249 granted by City Council August 23, 2021.

BUDGET IMPACT:

The granting of the proposed electrical easement to SRP will have no budgetary impact to the city.

RECOMMENDATION:

Staff recommends that the City Council adopt an ordinance granting an Electrical Easement to SRP for the

new BLVD Water Features and authorize the Mayor or City Manager, and City Clerk to execute the necessary documents. This easement will replace SRP's Blanket Easement for parcel APN 102-57-249 granted by City Council August 23, 2021.

ORDINANCE NO. 2043-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, REPEALING ORDINANCE 2038-0821 AND GRANTING AN EASEMENT TO SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT.

WHEREAS, the Council of the City of Avondale (the "City Council") adopted Ordinance No. 2038-0821 on August 23, 2021, granting a power distribution easement to Salt River Project Agricultural Improvement and Power District for The BLVD water feature (the "Original Ordinance"); and

WHEREAS, the legal description included in the Original Ordinance was for a blanket easement and did not accurately describe and depict the easement area; and

WHEREAS, the City Council desires to accurately reflect the easement area by repealing the Original Ordinance and granting a power distribution easement with the specific legal description.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. Ordinance No. 2038-0821 is hereby repealed.

SECTION 3. An easement is hereby granted to Salt River Project Agricultural Improvement and Power District, in substantially the form and substance attached hereto as Exhibit A and incorporated herein by reference, through, over, under and across certain real property generally located along the east side of Avondale Boulevard, north of Van Buren Street, as depicted and described in the easement form attached hereto as part of Exhibit A.

SECTION 4. It is necessary for the preservation of peace, health and safety of the City, an emergency is hereby declared to exist and this Ordinance shall become immediately effective upon adoption.

SECTION 5. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 7, 2021.

_____
Kenneth N. Weise, Mayor

ATTEST:

_____
Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

_____
Nicholle Harris, City Attorney

EXHIBIT A
TO
ORDINANCE NO. 2043-0921

[SRP Power Distribution Easement]

See following pages.

WHEN RECORDED MAIL TO:

SALT RIVER PROJECT
Land Department/PAB10W
P. O. Box 52025
Phoenix, Arizona 85072-2025

EXEMPT PURSUANT TO
A.R.S. §§ 11-1134(A)(2) and (A)(3)

POWER DISTRIBUTION EASEMENT

Maricopa County
Parcel # 102-57-249
SW ¼, SEC. 06, T01N, R01E

Agt. CLB
Job # LJ84153 / T3296026
W CLB C pb
R/W #

City of Avondale,
an Arizona municipal corporation,

hereinafter called Grantor, for and in consideration of the sum of Ten Dollars, and other valuable consideration, receipt and sufficiency of which is hereby acknowledged, does hereby grant and convey to **SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT AND POWER DISTRICT**, an agricultural improvement district organized and existing under the laws of the State of Arizona, and its successors and assigns, hereinafter called Grantee, for use by Grantee and Grantee's employees, contractors, licensees, and invitees, a non-exclusive easement to construct, install, reconstruct, replace, remove, repair, operate and maintain underground electrical conduits and conductors, pipes, cables, switching equipment, transformers, pad-mounted equipment, enclosures, manholes, vaults, and all other appliances, appurtenances and fixtures (collectively, "Facilities") for the transmission and distribution of electricity, communication signals and data, and for all other purposes connected therewith at such locations and elevations, in, upon, over, under, across, through and along the Easement Parcel (defined below), as Grantee may now or hereafter deem convenient or necessary from time to time, together with the right of access to and from the Easement Parcel, over, across, through and along Grantor's Property (defined below) (collectively, the "Easement"). Grantee is hereby authorized to permit others to use the Easement for additional Facilities jointly with or separately from the Grantee for their purposes.

The lands in, upon, over, under, across, through and along which the Easement is granted are situated in the County of Maricopa, State of Arizona, and are more particularly described as:

Grantor's Property:

A portion of the Southwest quarter of Section 06, Township 01 North, Range 01 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described in SPECIAL WARRANTY DEED Instrument 2009-0356612 records of Maricopa County, Arizona.

Easement Parcel:

Said easement being a strip of land 8.00 feet in width, lying 4.00 feet on each side of the line described as "CENTERLINE OF 8' EASEMENT" delineated on Exhibit "A" (THE BLVD WATER FEATURES-LAKE, SRP Job No. T3296026), prepared by Salt River Project A.I. & Power District, dated 08/14/2021, said Exhibit "A" attached hereto and made a part hereof. Said easement ALSO to include the equipment pad area as described and/or depicted on said Exhibit "A".

CAUTION: Facilities placed within the Easement Parcel may contain high voltage electrical equipment. Notice is hereby given that the location of underground electrical conductors or facilities must be verified as required by Arizona Revised Statutes, Section 40-360.21, et seq., Arizona Blue Stake Law, prior to any excavation.

The Easement is governed by the following terms and conditions:

1. Modification of Easement Parcel. Grantor acknowledges that field conditions may result in the Facilities being installed within Grantor's Property in a location that is not within the Easement Parcel. After the completion of any construction or installation outside of the Easement Parcel, Grantee shall obtain Grantor's agreement with and execution of an amendment to this Easement modifying the legal description of the Easement Parcel to reflect the actual location of the Facilities (the "Amendment"). Upon the recordation of the Amendment, such revised legal description shall have the same force and effect, and create the same priority of interest, as if recorded concurrently with this instrument. Grantor may consent to the execution and recordation of the Amendment through the exercise of its sole discretion.

2. Prohibited Activities. Grantor shall not, whether directly or indirectly by granting permission, construct, install, or place any building or other structure, plant any trees, drill any wells, store materials of any kind, or alter the ground level, within the Easement Parcel. This paragraph 2 does not prohibit the use of the Easement Parcel for such purposes as landscaping (except trees), paved parking, sidewalks and/or driveways, provided that such use is otherwise in accordance with the terms of this Easement, and does not interfere with the efficient operation and maintenance of the Facilities, including access thereto. To obtain clarification as to whether or not a particular construction activity is prohibited by the first sentence of this paragraph 2, Grantor may request Grantee's prior written approval to grade or install improvements ("Work") within the Easement Parcel by submitting all construction, grading, or other development plans, as applicable, describing the proposed Work. Grantee may grant or deny such approval through the exercise of Grantee's sole discretion, provided that Grantee's review and right to approve shall be limited to whether the proposed Work conflicts with the existing Facilities, including access thereto. Any such approval is hereby subject to Grantor complying with all other provisions of this Easement.

3. Clear Areas. Grantor shall maintain a clear area that extends 3.00 feet from and around all edges of all transformer pads and other equipment pads, and a clear area that extends 12.00 feet immediately in front of all transformer and other equipment openings ("Clear Areas"). No improvements, fixtures, trees, shrubs, or other obstructions shall be placed within the Clear Areas. Grantee shall have the right (but not the obligation) to remove any obstructions within the Clear Areas.

4. Additional Grantee Rights. Grantee shall have the right (but not the obligation) to trim, cut and clear away trees, brush or other vegetation on, or which encroaches into, the Easement Parcel or the Clear Areas, whenever in its judgment the same shall be necessary for the convenient and safe exercise of the rights herein granted. Grantor agrees that any fences or walls which now cross or hereafter cross Grantor's Property will not prevent Grantee's access to the Easement Parcel or the Facilities. Grantor further agrees that Grantee can use gates on all such fences or walls for such access.

5. Perpetual Nature of Easement. The Easement, and Grantee's rights hereunder, shall be perpetual, and shall not terminate until, and unless abandoned through the recordation of a document formally abandoning the Easement, which references this instrument and is executed and acknowledge by Grantee. Upon such recordation, all Grantee's rights hereunder shall cease, except the right to remove any and all property placed upon the Easement Parcel within a reasonable time subsequent to such abandonment.

6. Successors and Assigns. The benefits and burdens, and the covenants and agreements herein set forth shall run with and burden the land and shall extend and inure in favor and to the benefit of, and shall be binding on Grantor and Grantee and their successors and assigns.

7. Rights and Remedies Cumulative. The rights and remedies hereunder are cumulative, and the exercise of any one or more of such rights or remedies shall not preclude the exercise, at the same or different times, of any other right or remedy available.

8. Private Use. The provisions of this Easement Agreement are not intended to and do not constitute a public utility easement, or any other grant, dedication, or conveyance for public use of the Easement Parcel.

9. Warranty of Title. Grantor represents and warrants that: (i) fee simple title to the Grantor's Property and Easement Parcel is vested in Grantor, and (ii) Grantor has full power and authority to grant the Easement and to perform its obligations under this document.

10. Authority to Bind Grantor. The individual executing this document represents and warrants: (i) that he or she is authorized to do so on behalf of Grantor, and (ii) that he or she has full legal power and authority to bind Grantor in accordance with the terms herein and, if necessary, has obtained all required consents or delegations of such power and authority (whether from any partner, owner, spouse, shareholder, director, member, manager, creditor, investor, developer, governmental authority, judicial or administrative body, association, or other person or entity).

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, **City of Avondale, an Arizona municipal corporation,** has caused its name to be executed by its duly authorized representative(s), this _____ day of _____, _____.

City of Avondale,
an Arizona municipal corporation

By _____

Its _____

By _____

Its _____

STATE OF _____)
) ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, _____ by _____ and _____, as _____ and _____, respectively, of **City of Avondale, an Arizona municipal corporation,** on behalf of such corporation.

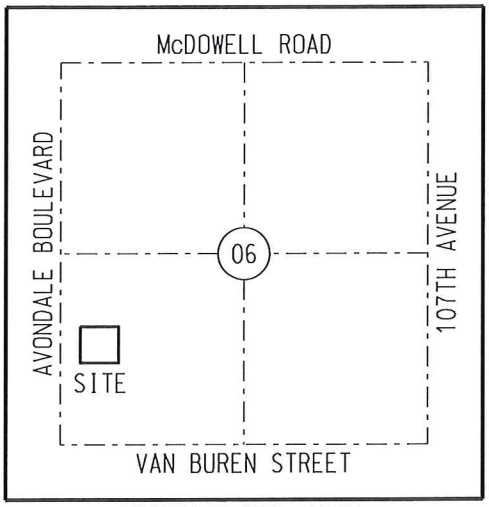
_____
Notary Public

My Commission Expires:

_____

_____
Notary Stamp/Seal

EXHIBIT "A"



VICINITY MAP (NTS)
T1N, R1E
G&SRM

LEGEND

- SECTION AND CENTERLINE
- PROPERTY LINE
- CENTERLINE OF 8' EASEMENT
- TIE LINE
- SECTION CORNER AS NOTED
- EQUIPMENT PADS ARE A PART OF THIS EASEMENT

ABBREVIATION TABLE

APN	ASSESSOR'S PARCEL NUMBER
BCHH	BRASS CAP IN HAND HOLE
EPAD	ELECTRICAL EQUIPMENT PAD
LVI	LAST VISUAL INSPECTION
(M)	MEASURED
MCR	MARICOPA COUNTY RECORDER
NTS	NOT TO SCALE

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
50640
CLAYTON
HOWARD
Date Signed 08/18/2021
ARIZONA, U.S.A.

BASIS OF BEARINGS:
BASED ON THE MARICOPA COUNTY
LOW DISTORTION PROJECTION
COORDINATE SYSTEM.

CAUTION

THE EASEMENT LOCATION AS HEREON DELINEATED MAY CONTAIN HIGH VOLTAGE ELECTRICAL EQUIPMENT, NOTICE IS HEREBY GIVEN THAT THE LOCATION OF UNDERGROUND ELECTRICAL CONDUCTORS OR FACILITIES MUST BE VERIFIED AS REQUIRED BY ARIZONA REVISED STATUTES, SECTION 40-380.21, ET. SEQ., ARIZONA BLUE STAKE LAW, PRIOR TO ANY EXCAVATION.

NOTES

THIS EXHIBIT IS INTENDED TO ACCOMPANY AN EASEMENT. ALL PARCELS SHOWN WERE PLOTTED FROM RECORD INFORMATION, AND NO ATTEMPT HAS BEEN MADE TO VERIFY THE LOCATION OF ANY BOUNDARIES SHOWN. THIS IS NOT AN ARIZONA BOUNDARY SURVEY.

ALL ELECTRIC LINES SHOWN ARE MEASURED TO THE WINDOW OF THE EQUIPMENT PAD UNLESS OTHERWISE NOTED.

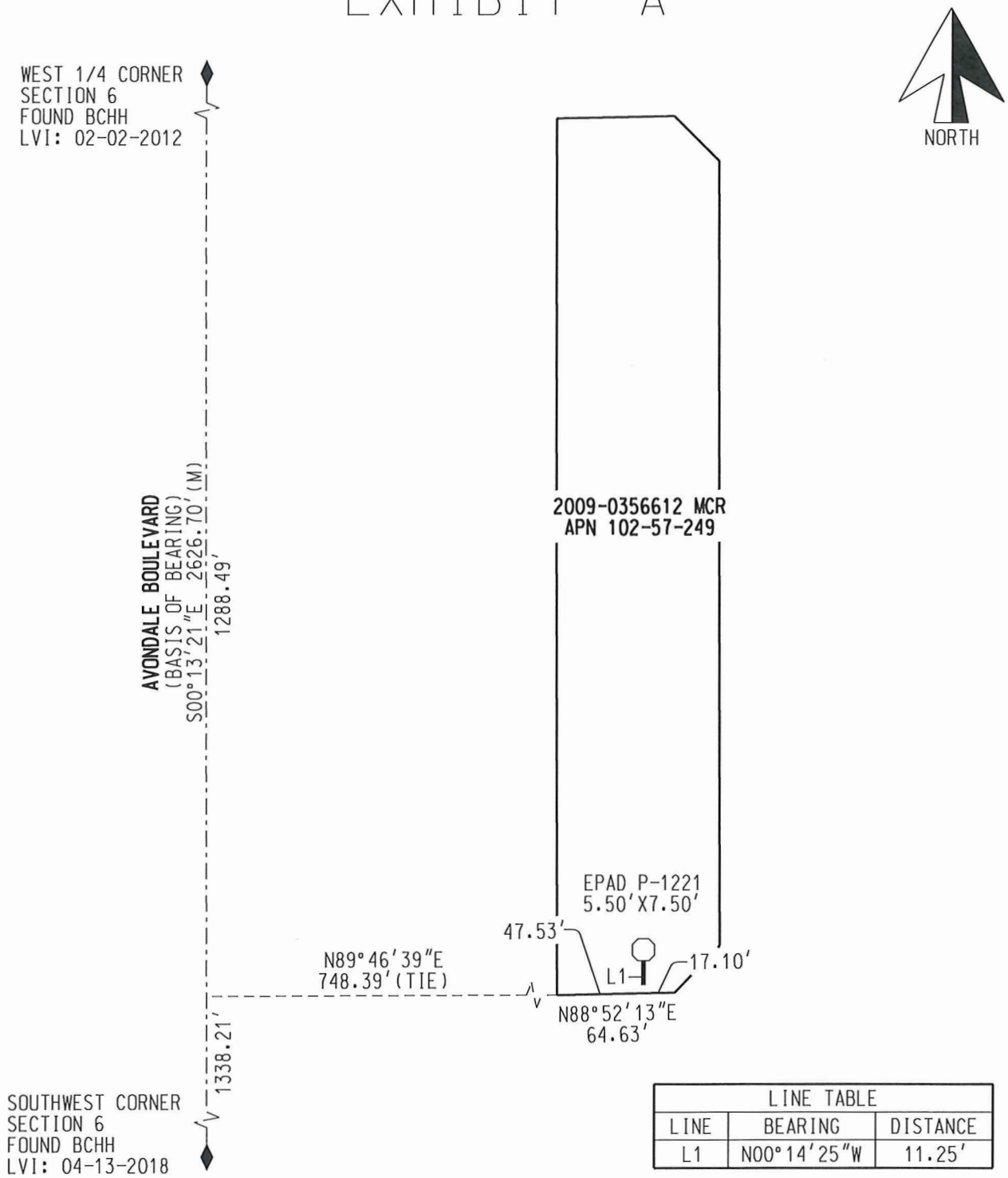
SALT RIVER PROJECT
AGRICULTURAL IMPROVEMENT & POWER DISTRICT

SURVEY DIVISION
LAND DEPARTMENT

SRP LDWR NUMBER: NA	SCALE: NTS
I.O. NUMBER: T3296026	SHEET: 1 OF 2
AGENT: BALTRUS pb	SHEET SIZE: 8.5"x11"
DRAWN: RAUSER	REVISION: 0
CHECKED BY: HOWARD	CREW CHIEF: NA
DATE: 08-14-2021	FIELD DATE: NA

THE BLVD WATER FEATURES-LAKE
SW 1/4, SECTION 06
T.1 N.,R.1 E.
5.25 NORTH - 0.0 EAST

EXHIBIT "A"



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°14'25"W	11.25'

SALT RIVER PROJECT AGRICULTURAL IMPROVEMENT & POWER DISTRICT		SURVEY DIVISION LAND DEPARTMENT
SRP LDWR NUMBER: NA	SCALE: NTS	THE BLVD WATER FEATURES-LAKE SW 1/4, SECTION 06 T.1 N.,R.1 E. 5.25 NORTH - 0.0 EAST
I.O. NUMBER: T3296026	SHEET: 2 OF 2	
AGENT: BALTRUS pb	SHEET SIZE: 8.5"x11"	
DRAWN: RAUSER	REVISION: 0	
CHECKED BY: HOWARD	CREW CHIEF: NA	
DATE: 08-14-2021	FIELD DATE: NA	

Item Number: 4.f.

CITY COUNCIL REPORT

SUBJECT: Resolutions 1071-0921 and 1072-0921 – Roosevelt Park II Phase 4 Maintenance Improvement District

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values.

PURPOSE:

City Council will consider a request to: (a) approve a Petition for Formation; (b) adopt Resolution 1071-0921, declaring its intention to form the City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, providing for the assessment, and; (c) adopt Resolution 1072-0921, declaring its intention to order the improvements within the newly established maintenance improvement district, providing for the assessment, declaring an emergency; and (d) authorize the Mayor, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

Under provisions of the City Code and Zoning Ordinance, developers are responsible for landscaping development projects prior to issuance of a Certificate of Occupancy. In particular, subdivisions are required to provide landscaping along certain arterial and collector streets and in other locations as provided in the zoning requirements, approval conditions, engineering requests or subdivision requirements. In addition, developers are often required to provide paths, trails, and other usable amenities in common open space areas within a community.

The purpose of the Maintenance Improvement District (MID) is to provide for the operations, maintenance, repair and improvements to landscaping and open space adjacent to designated public roadways and parkways within the proposed district, private streets within the proposed district, as well as drainage and retention within each proposed district in the event a Homeowner's Association fails. Until such time as the Homeowner's Association fails, and the Council directs City Staff to assume maintenance responsibility, a line item of $0.00 will display on the homeowners' property tax bills. Pursuant to the provision of A.R.S. 48-574, et. seq., the Mayor and Council are empowered to adopt a Resolution ordering the formation of a Maintenance Improvement District.

A Resolution of Intention for formation of City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, southwest corner of 107th Avenue and Roosevelt Street, is attached. In the case in which all of the property owners have consented to MID formation, the ordinary publication and protest period are not required by law; the Council may then adopt a Resolution ordering the improvements when necessary once the Resolution of Intention is first adopted. The Resolution ordering the improvements finalizes the formation of the Maintenance Improvement District process. In accordance with State statute, an assessment diagram and map, listing each parcel of property within the district has been prepared.

PUBLIC PARTICIPATION:
Public notification is not required for MID applications.

PLANNING COMMISSION ACTION:
The Planning Commission does not review MID applications.

ANALYSIS:
The acceptance of this Maintenance Improvement District will allow any additional charges associated with the maintenance responsibilities, should the Homeowner's Association fail, to be assessed on the property tax bill for the properties located within the District.

The Maintenance Improvement District has been approved through the Development and Engineering Services Department, which recommends that City Council formally approve the Maintenance Improvement District to allow for the taxing district to be recorded and in place in the event the Homeowner's Association fails.

It should be noted that not approving the Maintenance Improvement District will prevent any charges from being assessed on the property tax bills for those properties located within the District in the event that the Homeowner's Association fails.

DISCUSSION:
The proposed MID has been reviewed by the City Attorney and is in conformance with the City of Avondale's Subdivision Regulations and State statute governing Maintenance Improvement District formation.

BUDGET IMPACT:
There is no direct budgetary impact to the City to approve the Maintenance Improvement District. However, the City would incur the additional charges associated with the maintenance responsibilities should the taxing district not be approved and recorded, and the Homeowner's Association fails.

RECOMMENDATION:
Staff recommends Council adopt a Resolution declaring its intention to create and adopt plans for the City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, providing for the assessment, and a second Resolution declaring its intention to order the improvements within the newly established Maintenance Improvement District, providing for the assessment and declaring an emergency, subject to the following conditions: 1) The final plat for the subdivision must be approved by City Council and recorded with the Maricopa County Recorder's Office prior to recordation of the Maintenance Improvement District; and 2) The developer must provide a fully executed Petition, Waiver and Consent to Formation of a Municipal Improvement District.

PROPOSED MOTION:
Staff recommends that City Council ADOPT the necessary resolutions approving City of Avondale Maintenance Improvement District No. 29, Roosevelt Park II Phase 4, subject to two (2) recommended conditions of approval as listed in the staff report.

PETITION, WAIVER AND CONSENT TO FORMATION OF A MUNICIPAL IMPROVEMENT DISTRICT BY THE CITY OF AVONDALE

Maintenance Improvement District No. 29
(Roosevelt Park Phase IV)

To: Honorable Mayor and Council
City of Avondale, Arizona

Pursuant to ARIZ. REV. STAT. § 48-574(C), the undersigned property owners respectfully petition the Council of the City of Avondale, Arizona (the "City Council") to order the formation of a Municipal Improvement District (the "District") under ARIZ. REV. STAT. § 48-574, *et seq.* In support of this petition, the undersigned agree to waive certain rights under Arizona Law and to consent to the formation and completion of the District.

1. Area of District. The proposed District is described by a diagram and by a legal description on Exhibit A, attached hereto and incorporated herein by reference. The proposed District consists of ± 15.7189 acres and is entirely within the corporate boundaries of the City of Avondale.

2. Ownership. The undersigned is the sole owner of the real property within the proposed District.

3. Purpose. The District is proposed to be formed for the purpose of the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed District.

4. Public Convenience and Necessity. The necessity for the proposed District is for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed District by the levying of special assessments in the proposed District.

5. Waiver and Consent. The petitioners, with full knowledge of their rights being waived hereunder, hereby expressly waive all of the following:

   a. Any and all irregularities, illegalities or deficiencies which may exist in the acts or proceedings resulting in the adoption of the Resolution of Intention and the Resolution Ordering the Work relating to the District.

   b. All protest rights whatsoever under ARIZ. REV. STAT. §§ 48-579(A) and (B), as amended.

   c. All objections to the filing of and adoption by the City of the plans and specifications, the Engineer's estimate and the Assessment Diagram, all of which provide for the completion of the District.

Further, the improvements described above are of more than local or ordinary public benefit. The Engineer's Estimate of the costs and expenses of the improvements are attached as part of Exhibit A.

IN WITNESS WHEREOF, the parties have executed this Petition and Waiver Agreement as of _____, 2021.

"**Property Owner**"

MATTAMY ARIZONA, LLC,
an Arizona limited liability company

By:_____
Kevin Rust, Vice President of
Land Acquisition and Development

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On, _____ 2021, before me personally appeared Kevin Rust, the Vice President of Land Acquisition and Development of MATTAMY ARIZONA, LLC, an Arizona limited liability company, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document on behalf of the company.

_____
Notary Public

(Affix notary seal here)

[SIGNATURES CONTINUE ON FOLLOWING PAGE]

ACCEPTED AND APPROVED BY:

"**City**"

CITY OF AVONDALE,
an Arizona municipal corporation

_____
Kenneth N. Weise, Mayor

ATTEST:

_____
Marcella Carrillo, City Clerk

(ACKNOWLEDGMENT)

STATE OF ARIZONA)
) ss.
COUNTY OF MARICOPA)

On _____, 2021, before me personally appeared Kenneth N. Weise, the Mayor of the CITY OF AVONDALE, an Arizona municipal corporation, whose identity was proven to me on the basis of satisfactory evidence to be the person who he claims to be, and acknowledged that he signed the above document, on behalf of the City of Avondale.

_____
Notary Public

(Affix notary seal here)

EXHIBIT A
TO
PETITION, WAIVER AND CONSENT TO FORMATION
OF A MUNICIPAL IMPROVEMENT DISTRICT
BY THE CITY OF AVONDALE

Maintenance Improvement District No. 29
(Roosevelt Park Phase IV)

[Legal Description, Assessment Diagram and Engineer's Estimate]

(See following pages.)

Legal Description
for
ROOSEVELT PARK PHASE 4
MAINTENANCE IMPROVEMENT DISTRICT (MID)

Job No. 17-414 July 21, 2021

A portion of the Southeast Quarter of Section 6, Township 1 North, Range 1 East of the Gila and Salt River Meridian, more particularly described as follows:

BEGINNING at the East Quarter Corner of said Section 6, being marked by a Maricopa County Department of Transportation brass cap in handhole, from which the Southeast Corner of said Section 6, being marked by a City of Avondale brass cap in hand hole, bears South 0 degrees 02 minutes 16 seconds West, 2,636.74 feet;

thence along the east line of said Southeast Quarter, South 0 degrees 02 minutes 16 seconds West, 1,153.48 feet;

thence North 89 degrees 57 minutes 44 seconds West, 125.00 feet to the northeast corner of "Roosevelt Park - Phase 1", Book 1444 of Maps, Page 04, Official Records of Maricopa County, Arizona;

thence along the northerly boundary of said "Roosevelt Park - Phase 1" South 88 degrees 59 minutes 18 seconds West, 101.39 feet;

thence along said northerly boundary, North 63 degrees 21 minutes 56 seconds West, 16.12 feet to the beginning of a non-tangent curve, concave northwest, from which the radius point bears North 63 degrees 21 minutes 56 seconds West a distance of 55.00 feet;

thence southwesterly 75.46 feet along said northerly boundary and along the arc of said curve to the right through a central angle of 78 degrees 36 minutes 51 seconds to a point of reverse curvature of a curve having a radius of 45.00 feet;

thence northwesterly 12.77 feet along said northerly boundary and along the arc of said curve to the left through a central angle of 16 degrees 15 minutes 37 seconds;

thence along said northerly boundary, South 88 degrees 59 minutes 18 seconds West, 721.00 feet to the beginning of a curve, concave southeast, having a radius of 15.00 feet;

thence southwesterly 23.56 feet along said northerly boundary and along the arc of said curve to the left through a central angle of 90 degrees 00 minutes 00 seconds;

EPS Group, Inc. • 1130 N. Alma School Rd., Suite 120 • Mesa, AZ 85201
Tel (480) 503-2250 • Fax (480) 503-2258

thence along said northerly boundary, South 88 degrees 59 minutes 18 seconds West, 38.00 feet;

thence along said northerly boundary, North 1 degrees 00 minutes 42 seconds West, 65.00 feet to a point on the southerly boundary of a parcel described in Document Number 2003-71295 Official Records of Maricopa County, Arizona;

thence along said southerly boundary, North 88 degrees 59 minutes 18 seconds East, 496.97 feet to the southeast corner of said parcel;

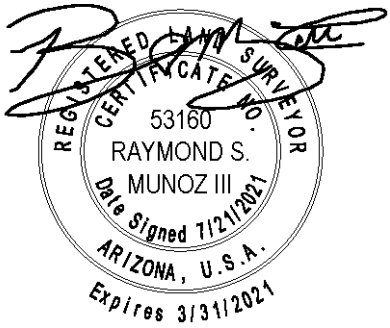
thence along the easterly boundary of said parcel, North 0 degrees 56 minutes 25 seconds West, 1,029.00 feet to a point on a right of way described in Document Number 2014-0188072 Official Records of Maricopa County, Arizona;

thence along said right of way, North 88 degrees 59 minutes 18 seconds East, 472.57 feet; thence

North 0 degrees 02 minutes 16 seconds East, 90.02 feet to a point on the north line of said Southeast Quarter;

thence along said north line, North 88 degrees 59 minutes 18 seconds East, 140.02 feet to the **POINT OF BEGINNING**.

Contains 684,715 square feet or 15.7189 acres, more or less.



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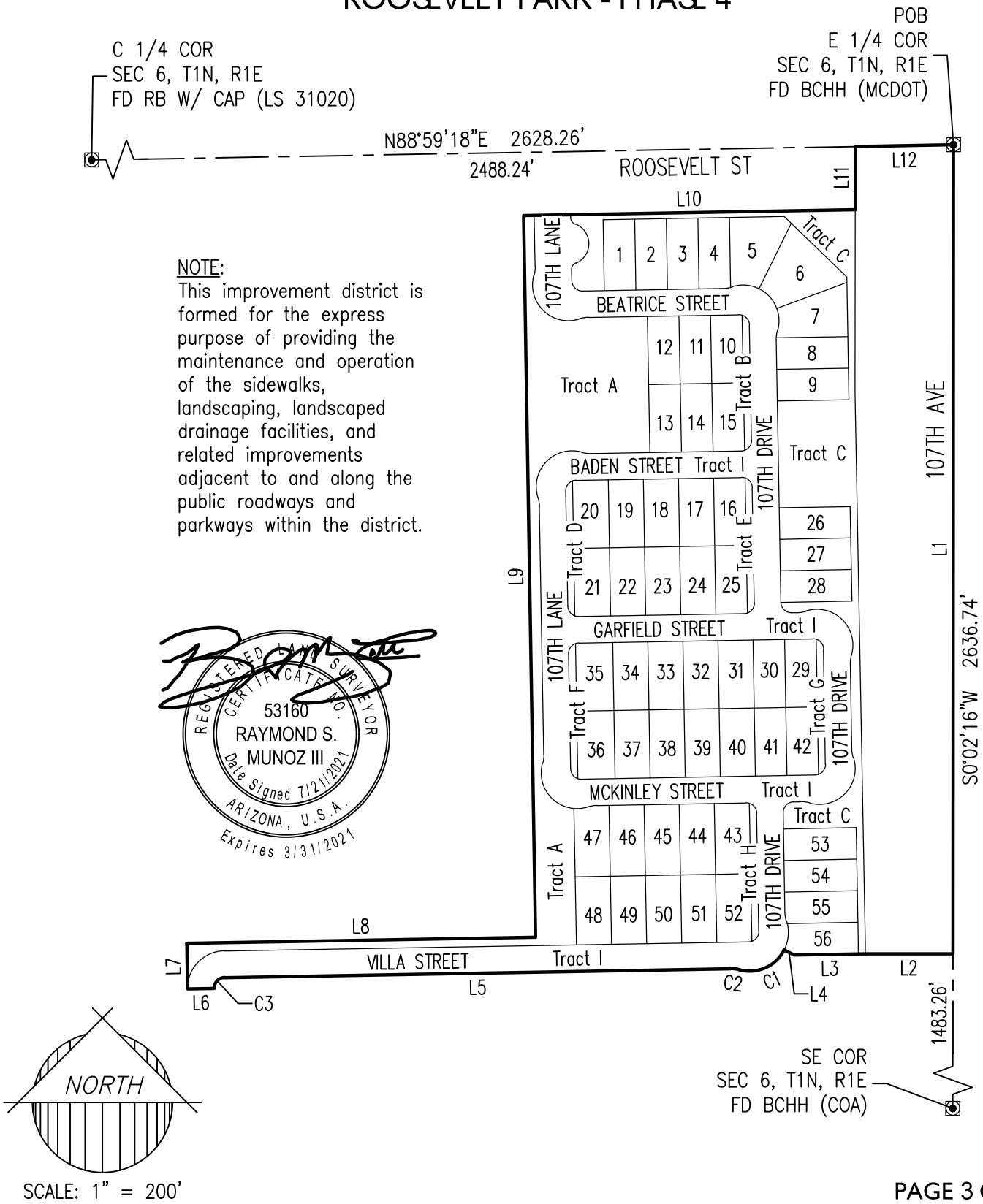
MAINTENANCE IMPROVEMENT DISTRICT ASSESSMENT DIAGRAM
FOR
ROOSEVELT PARK - PHASE 4



NOTE:
This improvement district is formed for the express purpose of providing the maintenance and operation of the sidewalks, landscaping, landscaped drainage facilities, and related improvements adjacent to and along the public roadways and parkways within the district.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
53160
RAYMOND S.
MUNOZ III
Date Signed 7/21/2021
ARIZONA, U.S.A.
Expires 3/31/2021

SCALE: 1" = 200'

17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

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www.epsgroupinc.com

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CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	75.46'	55.00'	78°36'51"	45.03'	69.68'	N65°56'30"E
C2	12.77'	45.00'	16°15'37"	6.43'	12.73'	N82°52'53"W
C3	23.56'	15.00'	90°00'00"	15.00'	21.21'	S43°59'18"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°02'16"W	1153.48'
L2	N89°57'44"W	125.00'
L3	S88°59'18"W	101.39'
L4	S63°21'56"E	16.12'
L5	S88°59'18"W	721.00'
L6	N88°59'18"E	38.00'

LINE TABLE		
LINE	BEARING	LENGTH
L7	N01°00'42"W	65.00'
L8	N88°59'18"E	496.97'
L9	N00°56'25"W	1029.00'
L10	N88°59'18"E	472.57'
L11	N00°02'16"E	90.02'
L12	N88°59'18"E	140.02'

17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

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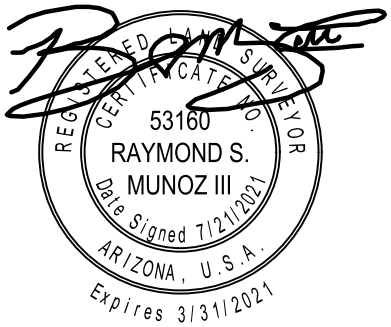

17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

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TRACT AREA TABLE		
TRACT	AREA (SF)	AREA (AC)
Tract A	62,171	1.4273
Tract B	1,846	0.0424
Tract C	43,363	0.9955
Tract D	1,846	0.0424
Tract E	1,846	0.0424
Tract F	1,846	0.0424
Tract G	1,846	0.0424
Tract H	1,886	0.0433
Tract I	143,252	3.2886

AREA BREAKDOWN

LOTS "1" – "56"	269,633 SF±	6.1899 AC±
TRACTS "A" – "H"	116,652 SF±	2.6780 AC±
TRACT "I" (PRIVATE STREET)	143,252 SF±	3.2886 AC±
EXISTING 107TH AVENUE R/W	155,178 SF±	3.5624 AC±
TOTAL	684,715 SF±	15.7189 AC±

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
53160
RAYMOND S.
MUNOZ III
Date Signed 7/21/2021
ARIZONA, U.S.A.
Expires 3/31/2021

17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

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CITY OF AVONDALE

MAINTENANCE IMPROVEMENT DISTRICT NO. 29
"Roosevelt Park - Phase 4" Tracts A through I

ENGINEER'S ESTIMATE

In compliance with the provisions of A.R.S. Title 48, Chapter 4, Article 2, Section §48-574, and all amendments and supplements thereto, we hereby estimate the costs and expenses of said improvement to be as follows:

AREA

- Right-of-Way: **3.56** Acres
- Tract Area: **5.97** Acres

ANNUAL MAINTENANCE FEE

- Right of Way

  3.56 Acres x $2,000/Acre = $7,120.00

- Tract Area

  5.97 Acres x $10,500/Acre = $62,685.00

  Total **$69,805.00**

Registered Professional Engineer (Civil)
CERTIFICATE NO. 54540
JOSEPH W. PETRUCCI III
Date Signed 7/29/2021
ARIZONA, U.S.A.

ANNUAL ADMINISTRATIVE FEE
$69,805.00 x 5% = **$3,490.25**

TOTAL ANNUAL COST
$69,805.00 + $3,490.25 = **$73,295.25**

TOTAL COST PER MONTH
$73,295.25 ÷ 12 months = **$6,107.94**

CITY OF AVONDALE
DEVELOPMENT & ENGINEERING SERVICES
ENGINEERING DIVISION

By: Kevin Murphy, P.E.,

RESOLUTION 1071-0921

A RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, DECLARING ITS INTENTION TO CREATE AN IMPROVEMENT DISTRICT TO OPERATE, MAINTAIN AND REPAIR LANDSCAPING, IRRIGATION, DRAINAGE AND RETENTION FACILITIES AND HARDSCAPE ADJACENT TO DESIGNATED PUBLIC ROADWAYS WITHIN THE PROPOSED DISTRICT AND RELATED FACILITIES AS SHOWN ON THE PLANS, FOR MAINTENANCE WITHIN AN AREA IN THE CITY OF AVONDALE AS DESCRIBED HEREIN; ADOPTING PLANS FOR CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 29 – ROOSEVELT PARK PHASE IV, AS MORE PARTICULARLY DESCRIBED HEREIN, AND DECLARING THE WORK OR IMPROVEMENT TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT, AND THAT THE COST OF SAID WORK OR IMPROVEMENT SHALL BE ASSESSED UPON A CERTAIN DISTRICT; PROVIDING THAT THE PROPOSED WORK OR IMPROVEMENT SHALL BE PERFORMED UNDER ARIZONA REVISED STATUTES TITLE 48, CHAPTER 4, ARTICLE 2, AND AMENDMENTS THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avondale (the "City") has been presented with a Petition for Formation of a Maintenance Improvement District purporting to be signed by all of the real property owners within the proposed district and, according to ARIZ. REV. STAT. § 48-574(C), the City finds that such ownership has been verified; and

WHEREAS, the Council of the City of Avondale (the "City Council") desires to declare its intent to form the City of Avondale Maintenance Improvement District No. 29 – Roosevelt Park Phase IV (the "Assessment District") over the area described and depicted on Exhibit A, attached hereto and incorporated herein by reference and including those lots, pieces or parcels of land lying within the Assessment District as shown in more detail on the duplicate diagrams made by or at the direction of the City Engineer showing each separate lot numbered consecutively, the area in square feet of each lot, the area of any building or buildings located on each lot, and the location of the lot in relation to the work proposed to be done (the "Assessment Diagram") attached hereto as a part of Exhibit A and incorporated herein by reference; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District to be of more than local or ordinary public benefit, and further that the cost of said activities shall be assessed on the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities in the Assessment District are incidental to the maintenance and preservation of the public roadways and parkway and related facilities, has aesthetic value, and maintains and increases the value of property within the Assessment District; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district and related facilities preserves and promotes the health, safety, and welfare of those citizens of the City living within the Assessment District as well as preservation of the streets and parkways which may be adversely impacted by drainage and other water formations; and

WHEREAS, the City Council declares that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district tend to preserve the structural integrity of the public streets and parkway and mitigate flooding of adjacent areas by draining water to and from the public streets and parkway in furtherance of the health, safety and welfare of those citizens of the City living within the Assessment District.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City of Avondale, Arizona, to order the following work (hereinafter the "Work") to be performed: The operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shown on the Assessment Diagram.

SECTION 3. The City Council designates as parkways those streets and rights-of-way areas set forth on the Assessment Diagram in accordance with Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and specifically including those portions of pedestrian facilities, retention, detention and storm water management facilities included within or adjacent to the Assessment District. The public interest and convenience require, and it is the intention of the City Council to order the Work adjacent to the designated parkways to be performed as stated herein. All items of the Work shall be performed as prescribed by the plans showing the engineer's estimate for the City of Avondale Maintenance Improvement District No. 29 – Roosevelt Park Phase IV, filed with the City Clerk prior to the adoption of this Resolution (the "Plans and Specifications"), which are hereby approved and adopted by the City Council and which shall remain on file in the Office of the City Engineer; no assessment for any lot shall exceed its proportion of the estimate. The estimate of the cost and expenses of the work or improvements on file in the offices of the Superintendent of Streets (the City Engineer) and the City Clerk are hereby approved and adopted by the City Council. In addition to the requirements of law, the procedures set forth in

the City Code will be followed regarding acceptance of bids and setting tax levies. For purposes of this Resolution and of all resolutions, ordinances and notices pertaining to this Resolution, the improvement as herein described is hereby designated City of Avondale Maintenance Improvement District No. 29 – Roosevelt Park Phase IV.

SECTION 4. In the opinion of the City Council, the Work is of more than local or ordinary public benefit. The City Council hereby orders that all amounts due or to become due with respect to the Work shall be chargeable upon the respective lots, pieces and parcels of land within the Assessment District.

SECTION 5. The City Engineer is hereby authorized and directed to prepare duplicate Assessment Diagrams of the property contained within the Assessment District.

SECTION 6. Any public street or alley within the boundaries of the Assessment District is hereby omitted from the assessment hereafter to be made. Any lot belonging to the United States, the State, a county, city, school district or any political subdivision or institution of the State or county, which is included within the Assessment District shall be omitted from the assessment hereafter made.

SECTION 7. In no event will the City or any officer thereof be liable for any portion of the cost of said Assessment District or for any delinquency of persons or property assessed.

SECTION 8. The City Council shall make annual statements and estimates of the expenses of the Assessment District which shall be provided for by the levy and collection of ad valorem taxes upon the assessed value of all real and personal property in the Assessment District as provided in ARIZ. REV. STAT. § 48-574 and amendments thereto.

SECTION 9. The Work and all proceedings pertaining thereto shall be performed under the provisions of ARIZ. REV. STAT. § 48-574, and all amendments thereto and pursuant to Article I, Section 3 and Article XII, Section 8 of the Avondale City Charter.

SECTION 10. The City Engineer is hereby authorized to fill in any blanks and to make any minor corrections necessary to complete the Plans and Specifications.

SECTION 11. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute and submit all documents and any other necessary or desirable instruments and to take all steps necessary to carry out the purpose and intent of this Resolution.

SECTION 12. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 7, 2021.

_____
Kenneth N. Weise, Mayor

ATTEST:

_____
Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

_____
Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION 1071-0921

[Legal Description of Assessment District and Assessment Diagram]

See following pages.

Legal Description
for
ROOSEVELT PARK PHASE 4
MAINTENANCE IMPROVEMENT DISTRICT (MID)

Job No. 17-414 July 21, 2021

A portion of the Southeast Quarter of Section 6, Township 1 North, Range 1 East of the Gila and Salt River Meridian, more particularly described as follows:

BEGINNING at the East Quarter Corner of said Section 6, being marked by a Maricopa County Department of Transportation brass cap in handhole, from which the Southeast Corner of said Section 6, being marked by a City of Avondale brass cap in hand hole, bears South 0 degrees 02 minutes 16 seconds West, 2,636.74 feet;

thence along the east line of said Southeast Quarter, South 0 degrees 02 minutes 16 seconds West, 1,153.48 feet;

thence North 89 degrees 57 minutes 44 seconds West, 125.00 feet to the northeast corner of "Roosevelt Park - Phase 1", Book 1444 of Maps, Page 04, Official Records of Maricopa County, Arizona;

thence along the northerly boundary of said "Roosevelt Park - Phase 1" South 88 degrees 59 minutes 18 seconds West, 101.39 feet;

thence along said northerly boundary, North 63 degrees 21 minutes 56 seconds West, 16.12 feet to the beginning of a non-tangent curve, concave northwest, from which the radius point bears North 63 degrees 21 minutes 56 seconds West a distance of 55.00 feet;

thence southwesterly 75.46 feet along said northerly boundary and along the arc of said curve to the right through a central angle of 78 degrees 36 minutes 51 seconds to a point of reverse curvature of a curve having a radius of 45.00 feet;

thence northwesterly 12.77 feet along said northerly boundary and along the arc of said curve to the left through a central angle of 16 degrees 15 minutes 37 seconds;

thence along said northerly boundary, South 88 degrees 59 minutes 18 seconds West, 721.00 feet to the beginning of a curve, concave southeast, having a radius of 15.00 feet;

thence southwesterly 23.56 feet along said northerly boundary and along the arc of said curve to the left through a central angle of 90 degrees 00 minutes 00 seconds;

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Tel (480) 503-2250 • Fax (480) 503-2258

thence along said northerly boundary, South 88 degrees 59 minutes 18 seconds West, 38.00 feet;

thence along said northerly boundary, North 1 degrees 00 minutes 42 seconds West, 65.00 feet to a point on the southerly boundary of a parcel described in Document Number 2003-71295 Official Records of Maricopa County, Arizona;

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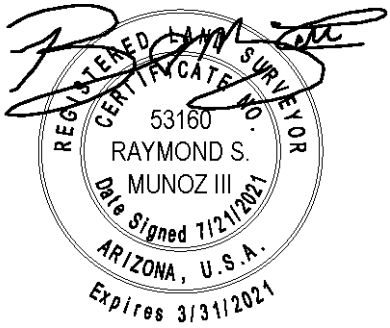

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FOR
ROOSEVELT PARK - PHASE 4

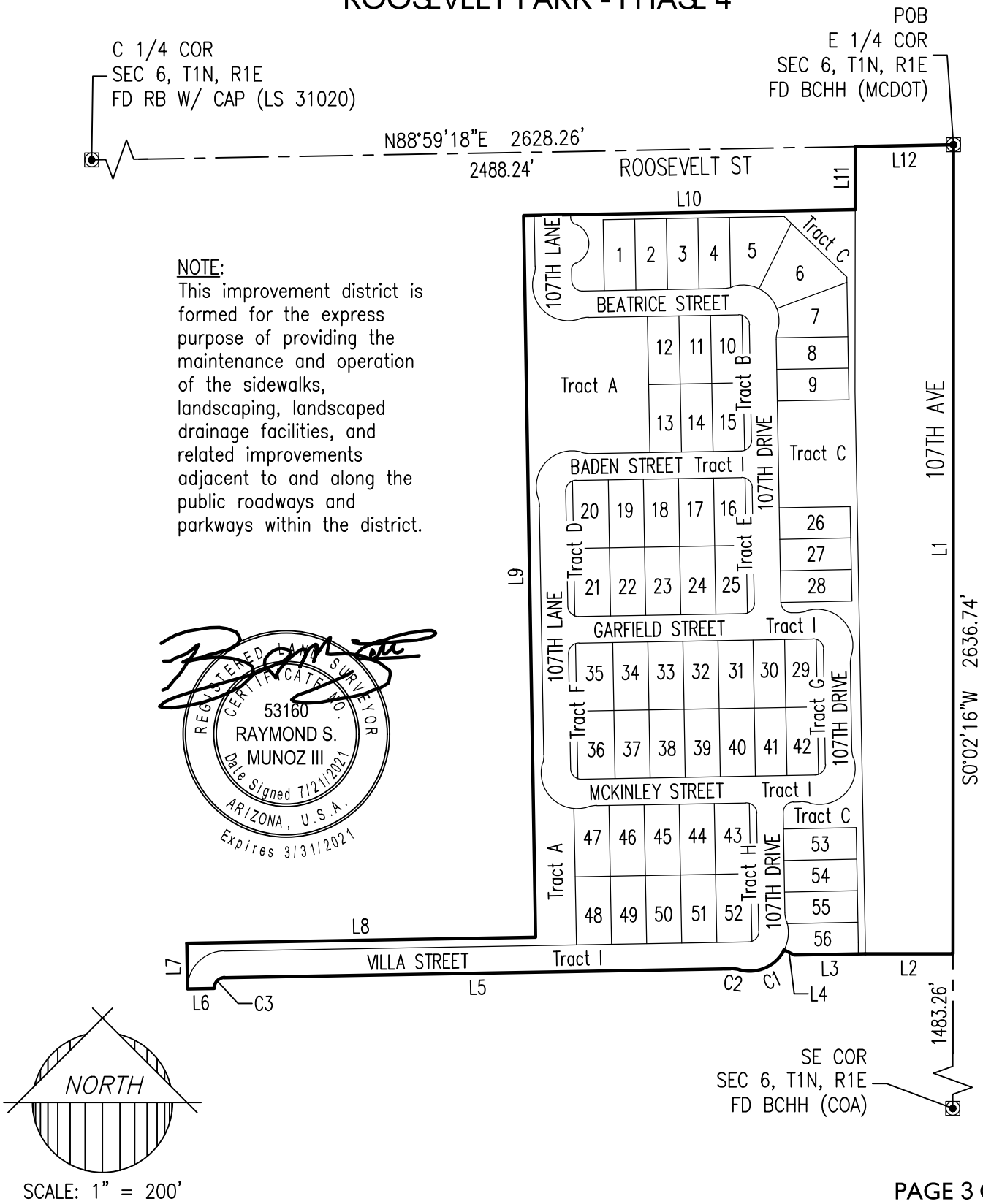

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EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

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EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

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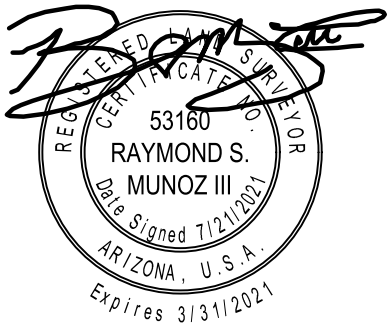
55	4,649	0.1067
56	4,534	0.1041



17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

EPS GROUP
1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
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www.epsgroupinc.com

Jul 21, 2021 10:16am C:\Users\aarass\appdata\local\temp\AcPublish_17568\17-414 - Phase 4 NE - Legal Description - MID.dwg

TRACT AREA TABLE		
TRACT	AREA (SF)	AREA (AC)
Tract A	62,171	1.4273
Tract B	1,846	0.0424
Tract C	43,363	0.9955
Tract D	1,846	0.0424
Tract E	1,846	0.0424
Tract F	1,846	0.0424
Tract G	1,846	0.0424
Tract H	1,886	0.0433
Tract I	143,252	3.2886

AREA BREAKDOWN

LOTS "1" – "56"	269,633 SF±	6.1899 AC±
TRACTS "A" – "H"	116,652 SF±	2.6780 AC±
TRACT "I" (PRIVATE STREET)	143,252 SF±	3.2886 AC±
EXISTING 107TH AVENUE R/W	155,178 SF±	3.5624 AC±
TOTAL	684,715 SF±	15.7189 AC±

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
53160
RAYMOND S.
MUNOZ III
Date Signed 7/21/2021
ARIZONA, U.S.A.
Expires 3/31/2021

17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

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Jul 21, 2021 4:11pm Q:\Projects\2017\17-414\Legal Survey\Dwgs\Final Plats\Phase 4 (Northeast)\17-414 - Phase 4 NE - Legal Description - MID.dwg

RESOLUTION 1072-0921

RESOLUTION OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA DECLARING ITS INTENTION TO ORDER THE IMPROVEMENTS OF A CERTAIN AREA WITHIN THE CORPORATE LIMITS OF THE CITY AND CREATING AN IMPROVEMENT DISTRICT KNOWN AS THE CITY OF AVONDALE MAINTENANCE IMPROVEMENT DISTRICT NO. 29, ROOSEVELT PARK PHASE IV; PROVIDING THAT THE COST OF THE MAINTENANCE OF THE LANDSCAPING INCLUDED WITHIN, NEAR, AND ADJACENT TO A PARKWAY AND RELATED FACILITIES TOGETHER WITH APPURTENANT STRUCTURES AS SHOWN ON THE PLANS, SHALL BE ASSESSED UNDER THE PROVISIONS OF TITLE 48, CHAPTER 4, ARTICLE 2, ARIZONA REVISED STATUTES, AS AMENDED; AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Avondale (the "City Council") has adopted Resolution 1071-0921 declaring its intent to form the City of Avondale Maintenance Improvement District No. 29 – Roosevelt Park Phase IV; and

WHEREAS, pursuant to ARIZ. REV. STAT. § 48-574(C), as amended, the City Council has immediate jurisdiction to adopt a resolution ordering the improvements pursuant to ARIZ. REV. STAT. § 48-581, as amended.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AVONDALE, as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The public interest or convenience require and it is the intention of the City Council to order the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and that the cost of such activities, together with appurtenant structures, be assessed upon a certain improvement district to be known as Avondale Maintenance Improvement District No. 29 – Roosevelt Park Phase IV (the "District") as described and depicted on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 3. The estimate of the cost and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and on file with the

Superintendent of Streets (City Engineer) and the City Clerk is approved and adopted by the City Council.

SECTION 4. The City Council determines that the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, are of more than local or ordinary public benefit, and are of special benefit to the respective lots, pieces and parcels of land within the real property described herein. The City Council makes and orders the cost and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures be chargeable upon the District, the area of which is described and depicted as set forth on Exhibit A, and declare that the District benefited by the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures to be assessed, shall pay the costs and expenses thereof in proportion to the benefits derived therefrom.

SECTION 5. The City shall not assess the costs and expenses for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district, and related facilities together with appurtenant structures, which are for the general public benefit against the respective lots, pieces and parcels of land located within the boundaries of the District and if a portion of the costs and expenses for the maintenance of landscaping is for the general public benefit, the City shall assess the boundaries of the District only that portion of such costs and expenses which benefits the lots, pieces and parcels of land located within the boundaries of the District.

SECTION 6. The costs and expense for the operation, maintenance, repair and improvements of landscape, irrigation, drainage and retention facilities and hardscape adjacent to designated public roadways and parkways within the proposed district shall be made and all proceedings therein taken; that the Superintendent of Streets of the City (the City Engineer) shall post or cause to be posted notices thereof; that the City Clerk shall certify to the passage of this Resolution of Intention; that the Engineer shall prepare duplicate diagrams of the District to be assessed to pay the costs and expenses thereof, under and in accordance with the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, as amended.

SECTION 7. The immediate operation of the provisions of this Resolution is necessary for the preservation of the public peace, health and safety and an emergency is declared to exist, and this Resolution will be in full force and effect from and after its passage and approval by the City Council as required by law and is exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 7, 2021.

_____
Kenneth N. Weise, Mayor

ATTEST:

_____
Marcella Carrillo, City Clerk

APPROVED AS TO FORM:

_____
Nicholle Harris, City Attorney

EXHIBIT A
TO
RESOLUTION 1072-0921

[Legal Description and Map of Assessment District]

See following pages.

Legal Description
for
ROOSEVELT PARK PHASE 4
MAINTENANCE IMPROVEMENT DISTRICT (MID)

Job No. 17-414 July 21, 2021

A portion of the Southeast Quarter of Section 6, Township 1 North, Range 1 East of the Gila and Salt River Meridian, more particularly described as follows:

BEGINNING at the East Quarter Corner of said Section 6, being marked by a Maricopa County Department of Transportation brass cap in handhole, from which the Southeast Corner of said Section 6, being marked by a City of Avondale brass cap in hand hole, bears South 0 degrees 02 minutes 16 seconds West, 2,636.74 feet;

thence along the east line of said Southeast Quarter, South 0 degrees 02 minutes 16 seconds West, 1,153.48 feet;

thence North 89 degrees 57 minutes 44 seconds West, 125.00 feet to the northeast corner of "Roosevelt Park - Phase 1", Book 1444 of Maps, Page 04, Official Records of Maricopa County, Arizona;

thence along the northerly boundary of said "Roosevelt Park - Phase 1" South 88 degrees 59 minutes 18 seconds West, 101.39 feet;

thence along said northerly boundary, North 63 degrees 21 minutes 56 seconds West, 16.12 feet to the beginning of a non-tangent curve, concave northwest, from which the radius point bears North 63 degrees 21 minutes 56 seconds West a distance of 55.00 feet;

thence southwesterly 75.46 feet along said northerly boundary and along the arc of said curve to the right through a central angle of 78 degrees 36 minutes 51 seconds to a point of reverse curvature of a curve having a radius of 45.00 feet;

thence northwesterly 12.77 feet along said northerly boundary and along the arc of said curve to the left through a central angle of 16 degrees 15 minutes 37 seconds;

thence along said northerly boundary, South 88 degrees 59 minutes 18 seconds West, 721.00 feet to the beginning of a curve, concave southeast, having a radius of 15.00 feet;

thence southwesterly 23.56 feet along said northerly boundary and along the arc of said curve to the left through a central angle of 90 degrees 00 minutes 00 seconds;

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Tel (480) 503-2250 • Fax (480) 503-2258

thence along said northerly boundary, South 88 degrees 59 minutes 18 seconds West, 38.00 feet;

thence along said northerly boundary, North 1 degrees 00 minutes 42 seconds West, 65.00 feet to a point on the southerly boundary of a parcel described in Document Number 2003-71295 Official Records of Maricopa County, Arizona;

thence along said southerly boundary, North 88 degrees 59 minutes 18 seconds East, 496.97 feet to the southeast corner of said parcel;

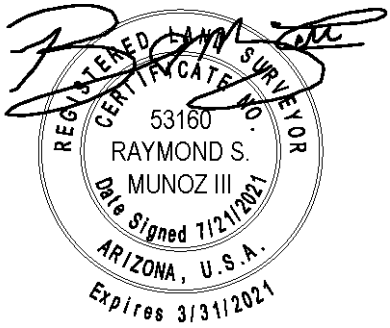
thence along the easterly boundary of said parcel, North 0 degrees 56 minutes 25 seconds West, 1,029.00 feet to a point on a right of way described in Document Number 2014-0188072 Official Records of Maricopa County, Arizona;

thence along said right of way, North 88 degrees 59 minutes 18 seconds East, 472.57 feet; thence

North 0 degrees 02 minutes 16 seconds East, 90.02 feet to a point on the north line of said Southeast Quarter;

thence along said north line, North 88 degrees 59 minutes 18 seconds East, 140.02 feet to the **POINT OF BEGINNING**.

Contains 684,715 square feet or 15.7189 acres, more or less.



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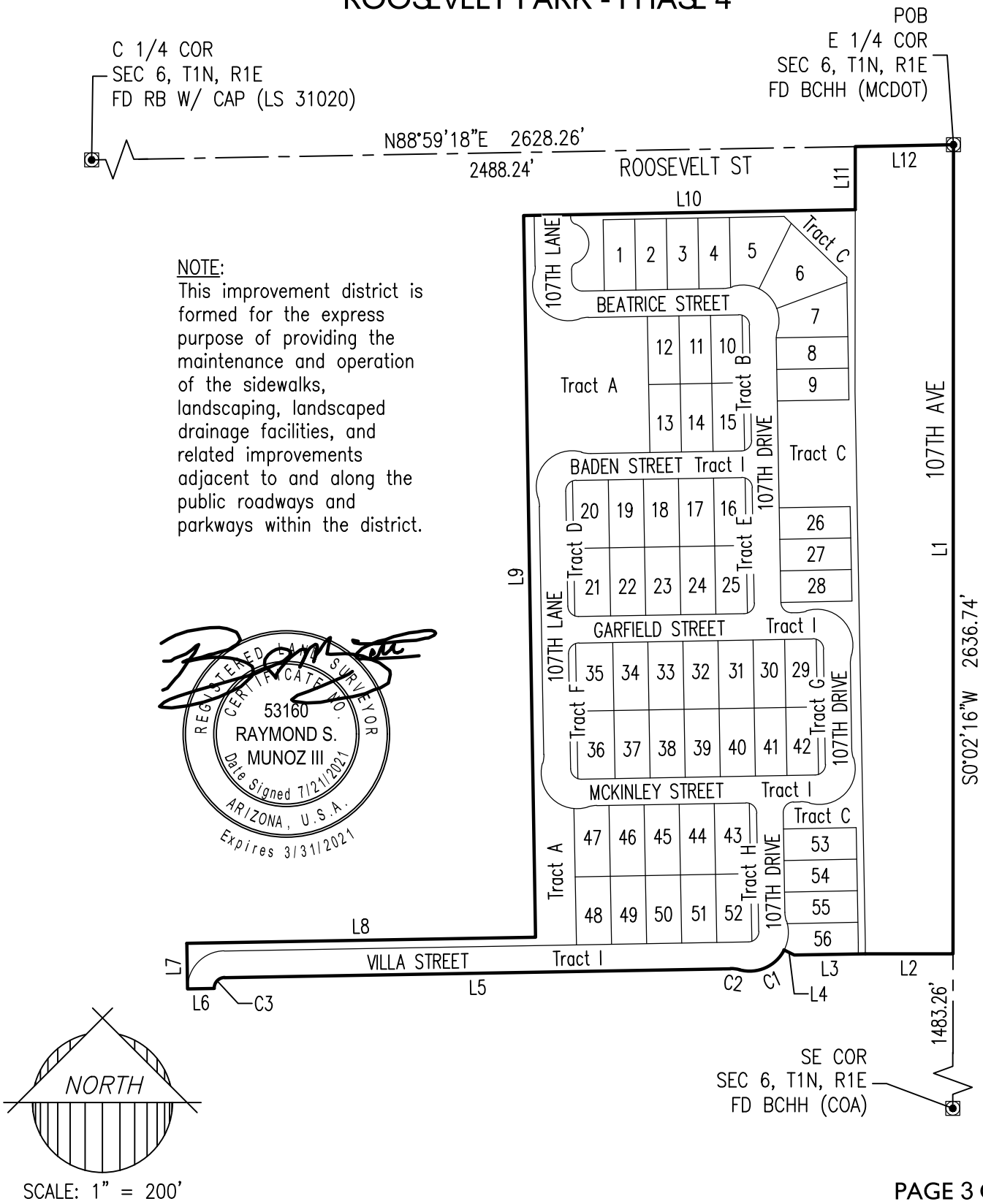
MAINTENANCE IMPROVEMENT DISTRICT ASSESSMENT DIAGRAM
FOR
ROOSEVELT PARK - PHASE 4



NOTE:
This improvement district is formed for the express purpose of providing the maintenance and operation of the sidewalks, landscaping, landscaped drainage facilities, and related improvements adjacent to and along the public roadways and parkways within the district.

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
53160
RAYMOND S.
MUNOZ III
Date Signed 7/21/2021
ARIZONA, U.S.A.
Expires 3/31/2021

SCALE: 1" = 200'

17-414

EXHIBIT "A" - ROOSEVELT PARK - PHASE 4

MAINTENANCE IMPROVEMENT DISTRICT (MID)

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CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	75.46'	55.00'	78°36'51"	45.03'	69.68'	N65°56'30"E
C2	12.77'	45.00'	16°15'37"	6.43'	12.73'	N82°52'53"W
C3	23.56'	15.00'	90°00'00"	15.00'	21.21'	S43°59'18"W

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°02'16"W	1153.48'
L2	N89°57'44"W	125.00'
L3	S88°59'18"W	101.39'
L4	S63°21'56"E	16.12'
L5	S88°59'18"W	721.00'
L6	N88°59'18"E	38.00'

LINE TABLE		
LINE	BEARING	LENGTH
L7	N01°00'42"W	65.00'
L8	N88°59'18"E	496.97'
L9	N00°56'25"W	1029.00'
L10	N88°59'18"E	472.57'
L11	N00°02'16"E	90.02'
L12	N88°59'18"E	140.02'

17-414

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LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	4,545	0.1043
2	4,545	0.1043
3	4,545	0.1043
4	4,541	0.1042
5	6,603	0.1516
6	7,735	0.1776
7	5,938	0.1363
8	4,590	0.1054
9	4,590	0.1054
10	4,364	0.1002
11	4,365	0.1002
12	4,365	0.1002
13	4,365	0.1002
14	4,365	0.1002
15	4,364	0.1002
16	4,364	0.1002
17	4,850	0.1113
18	4,850	0.1113
19	4,850	0.1113

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
20	4,927	0.1131
21	4,927	0.1131
22	4,850	0.1113
23	4,850	0.1113
24	4,850	0.1113
25	4,364	0.1002
26	4,552	0.1045
27	4,553	0.1045
28	4,555	0.1046
29	4,364	0.1002
30	4,365	0.1002
31	4,850	0.1113
32	4,850	0.1113
33	4,850	0.1113
34	4,850	0.1113
35	5,145	0.1181
36	5,145	0.1181
37	4,850	0.1113
38	4,850	0.1113

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
39	4,850	0.1113
40	4,850	0.1113
41	4,365	0.1002
42	4,364	0.1002
43	5,049	0.1159
44	5,050	0.1159
45	5,050	0.1159
46	5,050	0.1159
47	4,973	0.1142
48	4,850	0.1113
49	4,850	0.1113
50	4,850	0.1113
51	4,850	0.1113
52	4,849	0.1113
53	4,661	0.1070
54	4,662	0.1070
55	4,649	0.1067
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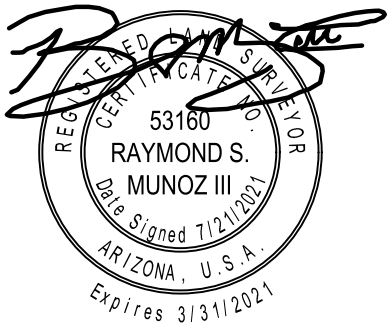

17-414

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Tract F	1,846	0.0424
Tract G	1,846	0.0424
Tract H	1,886	0.0433
Tract I	143,252	3.2886

AREA BREAKDOWN

LOTS "1" – "56"	269,633 SF±	6.1899 AC±
TRACTS "A" – "H"	116,652 SF±	2.6780 AC±
TRACT "I" (PRIVATE STREET)	143,252 SF±	3.2886 AC±
EXISTING 107TH AVENUE R/W	155,178 SF±	3.5624 AC±
TOTAL	684,715 SF±	15.7189 AC±

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
53160
RAYMOND S.
MUNOZ III
Date Signed 7/21/2021
ARIZONA, U.S.A.
Expires 3/31/2021

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Item Number: 4.g.

CITY COUNCIL REPORT

SUBJECT: Final Plat – Roosevelt Park II Phase 4 - Application PL-21-0182

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-2011

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values.

PURPOSE:

City Council will consider a request by Mr. Joe Petrucci, EPS Group, Inc., for approval of a Final Plat for Roosevelt Park II Phase 4, approximately 15.43 gross acres (12.16 net acres) located at the southwest corner of 107th Avenue and Roosevelt Street. Consistent with the Preliminary Plat approved by City Council on July 5, 2021, the proposed Final Plat will create 56 single-family residential lots, eight (8) common area open space/landscaping tracts, and a tract to accommodate private streets within Phase 4, and dedicate easements as needed to serve the future development. City Council will consider adoption of Resolutions forming a Maintenance Improvement District (MID) for this parcel as a separate agenda item. The Council will take appropriate action.

BACKGROUND:

The 15.43 gross acre subject property (Exhibits A and B), part of the 144.91 gross acre Roosevelt Park II development, is located at the southwest corner of 107th Avenue and Roosevelt Street. The property was annexed and rezoned to the Roosevelt Park (PAD) by City Council action in July 2001. The approved 2001 Roosevelt Park PAD included two (2) phases of development: Roosevelt Park I, south of Van Buren Street, was planned for conventional single-family residential development. Roosevelt Park II, north of Van Buren Street, was planned for a mixture of single-family residential, multi-family residential, mixed-use, and commercial development. Roosevelt Park II Phases 1 and 2 are complete and Phase 3 is currently under construction. Development of existing Roosevelt Park I is complete with a total of 481 single-family residential homes on 147 acres.

The PAD was amended in July 2005. The amendment, which only impacted the portion of Roosevelt Park north of Van Buren Street (Roosevelt Park II), replaced single-family homes with townhomes, apartments, and condominiums, established new residential development standards, reduced the overall density of the development from nine (9) dwelling units per acre to 6.21 dwelling units per acre. All other development

standards and conditions of approval from the original approval were left in place.

The PAD was again amended by City Council in April 2018. The 2018 amendment, which again impacted only Roosevelt Park II, eliminated the townhomes, apartments, and condominium uses approved in 2005, instead allowing for development of 607 single-family residences in four (4) phases. The 2018 Amendment also specifies that the community will be gated and that all streets internal to the community will be private. In addition to the planned residential development, the PAD reserves approximately 10.9 acres at the northwest corner of 107th Avenue and Van Buren Street for commercial development. An additional PAD Amendment (applying only to Roosevelt Park II) to revise the phasing of on-site and off-site development was approved in December 2019.

A Preliminary Plat for Roosevelt Park II Phase 4 was approved by City Council on July 5, 2021. The approved Preliminary Plat (Exhibit E) divides the Phase 4 property into 56 single-family residential lots in conformance with the approved PAD.

The Phase 4 property is designated Medium High Density Residential (MHDR) on the General Plan 2030 Land Use Map (Exhibit C). The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density). The approved Roosevelt Park II PAD zoning is in conformance with the MHDR designation.

The existing uses and zoning of surrounding properties include:

NORTH: Undeveloped property in agricultural production, zoned Avondale Gateway Center Planned Area Development (PAD). The Avondale Gateway Center PAD allows for a mix of office, business park, and commercial uses. Applications for a Minor General Plan Amendment and Rezoning for the land to the north have been submitted and are currently in review; approval of the applications would facilitate development of the property to the north with a large, 800,000 square foot building featuring manufacturing, warehousing, and retail components.

EAST of 107th Avenue: Multiple parcels zoned Griffith Commerce Park Planned Area Development (PAD),allowing for a mix of Commerce Park (CP) and Community Commercial (C-2) uses. Developed parcels include Universal Technical Institute (UTI), Enterprise Rent-a-Car, a used car dealership, and the recently completed Avondale 107 Commerce Park featuring four large buildings for light industrial use. The remaining parcels are undeveloped.

SOUTH of Van Buren Street: Roosevelt Park I, a fully developed 481-lot single-family residential subdivision, zoned Roosevelt Park Planned Area Development (PAD).

WEST: A site owned by the Littleton Elementary School District (LESD), upon which a future elementary school will be constructed. The school site is part of the Roosevelt Park development, zoned Roosevelt Park Planned Area Development (PAD).

SUMMARY OF REQUEST:
The applicant is requesting approval of a Final Plat for Roosevelt Park II Phase 4 (Exhibit F). In conformance with the approved Roosevelt Park II Phase 4 Preliminary Plat, the proposed Final Plat subdivides the 15.43 gross-acre property into a total of 56 single-family residential lots. The lots created within this phase are a mix of two different minimum lot sizes, as follows: (1) 28 minimum 45 feet by 95 feet (4,275 square foot) lots; and (2) 28 minimum 50 feet by 95 feet (4,750 square foot) lots.

Additionally, the proposed Final Plat creates eight (8) common area tracts (Tracts A-H) for active and passive open space totaling 2.68 acres. Open spaces within this phase of development include:

- A 0.75-acre amenity area located in Tract A near the northwest corner of Phase 4 that will feature play structures with shade elements and large turf areas for active play.

- 1.93 acres of passive tracts and drainage areas.

As with all other portions of the community, the neighborhood will be gated and be served by private streets. In addition to open space tracts, the Final Plat creates a tract (Tract I) to accommodate development of the private local streets that will serve Phase 4.

Access to Roosevelt Park II Phase 4 will be provided via a private local street connection to Roosevelt Street (a public street) and a private street (Villa Street) that connects to a Phase 1 private street (Pierce Street). The developer will be responsible for the construction of all water, sewer, and private street infrastructure needed to serve the planned development.

The Roosevelt Park II Homeowners Association will be responsible for maintaining all private streets, open space areas, landscape tracts, and right-of-way landscaping. City Council will consider adoption of a Resolution forming a Maintenance Improvement District (MID) for the Roosevelt Park II Phase 4 subdivision as a separate agenda item. The MID mechanism allows the City to assume maintenance responsibilities for the community's private streets, open space, and landscaping in the event that the HOA goes defunct, providing for an assessment of residents to cover the maintenance costs.

PUBLIC PARTICIPATION:
Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:
The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.
- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Subdivision Regulations and Roosevelt Park II Planned Area Development (PAD), as amended, and meets all conditions of these prior approvals.
- The proposed Final Plat conforms to the approved Preliminary Plat for Roosevelt Park II Phase 4 and dedicates easements as necessary to serve the future development.
- All conditions of Roosevelt Park II Phase 4 Preliminary Plat approval that are required to be completed prior to Final Plat approval have been completed.

DISCUSSION:
The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations. The proposed Final Plat is in conformance with the Roosevelt Park II PAD Development Plan, as amended, including conditions of approval. The proposed Final Plat is in conformance with the approved Roosevelt Park II Phase 4 Preliminary Plat, including conditions of approval. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:
No budget impacts.

RECOMMENDATION:
No public hearing is required. The City Council will **APPROVE** Application PL-21-0182 Roosevelt Park II Phase 4, a request for approval of the Final Plat for Roosevelt Park II Phase 4, subject to the following one (1) condition of approval: (1) The recorded plat shall be in conformance with the Roosevelt Park II Phase 4 Final Plat submitted on July 22, 2021.

PROPOSED MOTION:
Staff recommends that City Council **APPROVE** Application PL-21-0182 Roosevelt Park II Phase 4, a request for approval of the Final Plat for Roosevelt Park II Phase 4, subject to one (1) recommended condition of approval as listed in the Staff Report.

Exhibit A

Aerial Photograph

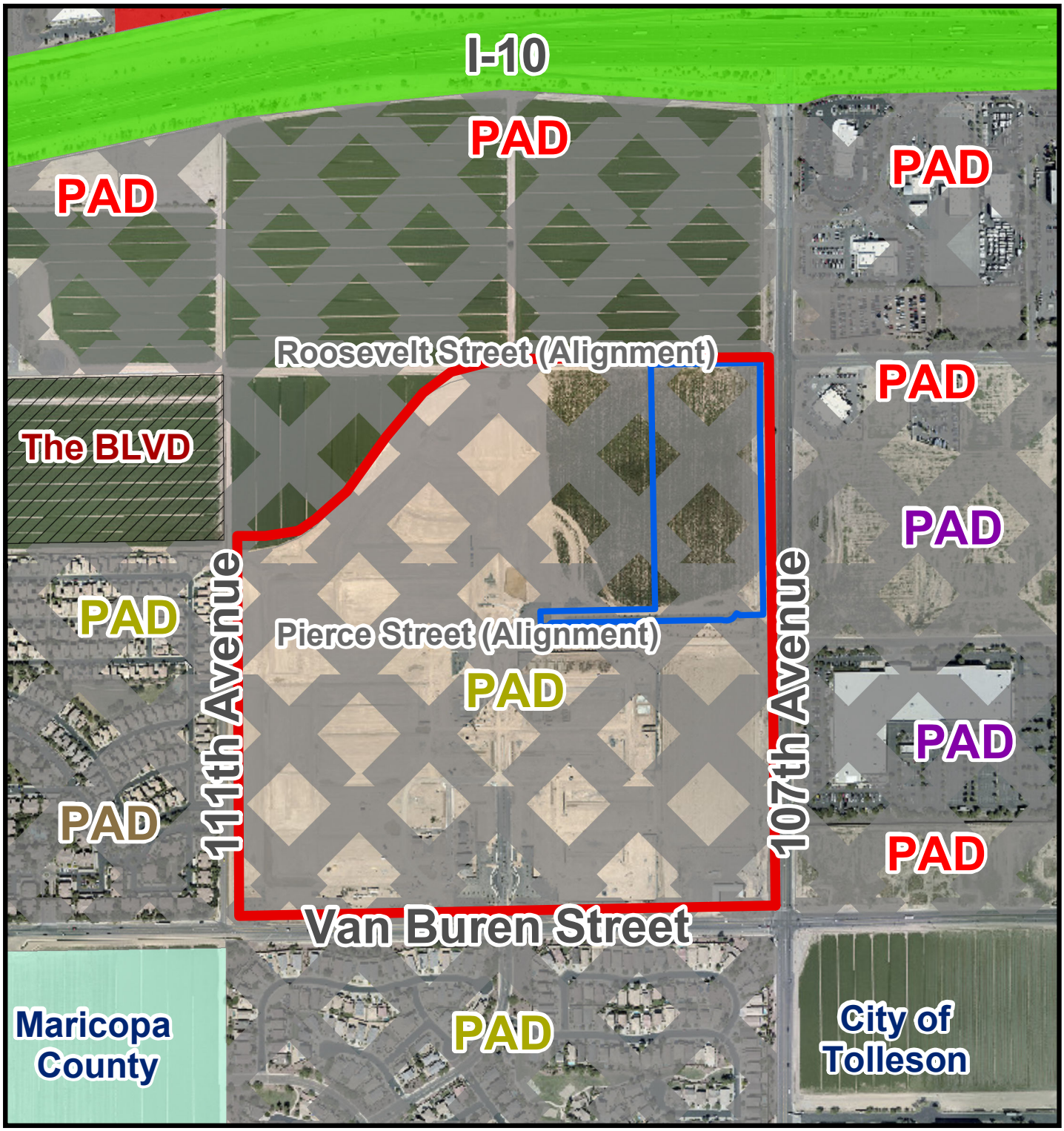
Avondale

Roosevelt Park II

Roosevelt Park Phase 4 (Proposed)

N

Exhibit B



Zoning Vicinity Map

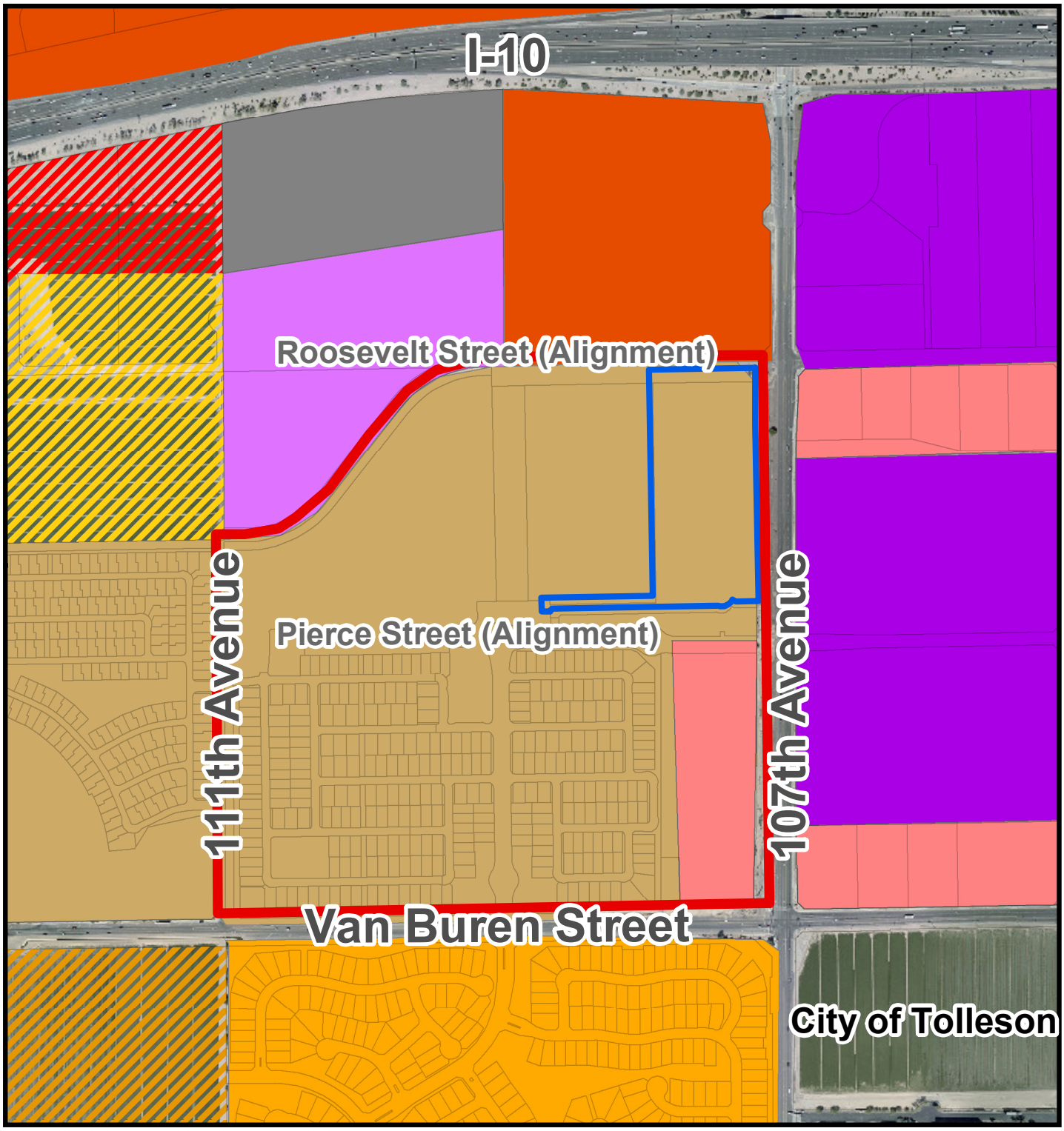
Avondale

Roosevelt Park II

Roosevelt Park Phase 4 (Proposed)

N

Exhibit C



General Plan Land Use Map

Avondale

N

- Neighborhood District
- Gateway District
- Residential District
- Local Commercial
- Medium Density Residential
- Medium/High Density Residential
- Freeway Commercial
- High Intensity Office
- Mixed Use
- Business Park
- Roosevelt Park II
- Roosevelt Park Phase 4 (Proposed)

Exhibit D

SUMMARY OF RELATED FACTS

APPLICATIONS PL-21-0182

THE PROPERTY	
PARCEL SIZE (TOTAL FOR ROOSEVELT PARK II)	144.91 gross acres
PARCEL SIZE (PROPOSED PHASE 4)	15.43 gross acres
LOCATION	Southwest corner of 107th Avenue and Roosevelt Street
PHYSICAL CHARACTERISTICS	Relatively flat with no unusual physical characteristics
EXISTING LAND USE	The Phase 1 and 2 portion of the Roosevelt Park II development is complete and Phase 3 is currently under construction. Phase 4 is vacant and undeveloped.
EXISTING ZONING	Roosevelt Park Planned Area Development (PAD)
ZONING HISTORY	The property was annexed and rezoned to Roosevelt Park Planned Area Development (PAD) in July 2001. The approved Roosevelt Park PAD included two phases of development. Roosevelt Park I, south of Van Buren Street was planned for conventional single-family residential development. Roosevelt Park II, north of Van Buren Street, was planned for a mixture of single-family residential, multi-family residential, mixed-use, and commercial development. Roosevelt Park I is complete with a total of 481 single-family homes on 147 acres. The PAD was amended in July 2005. The amendment, which only impacted the portion of Roosevelt Park north of Van Buren Street, replaced conventional single-family homes with town houses, apartments, and condominiums, established new residential development standards, reduced the overall density of the development from 9 du/ac to 6.21 dwelling units per acre. All other development standards and conditions of approval from the original approval were left in place. The PAD was again amended by City Council in April 2018. The 2018 amendment, which again impacted only Roosevelt Park II, eliminated the townhomes, apartments, and condominium uses approved in 2005, instead allowing for development of 607 single-family residences in four (4) phases. The 2018 Amendment also specifies that the community will be gated, and that all streets internal to the community will be private. In addition to the planned residential development, the PAD reserves approximately 10.9 acres at the northwest corner of 107th Avenue and Van Buren Street for commercial development. An additional PAD Amendment (applying only to Roosevelt Park II) to revise the phasing of on-site and off-site development was approved in December 2019.

SURROUNDING ZONING AND LAND USE	
NORTH	Undeveloped property in agricultural production, zoned Avondale Gateway Center Planned Area Development (PAD). The Avondale Gateway Center PAD allows for a mix of office, business park, and commercial uses. Applications for a Minor General Plan Amendment and Rezoning for the land to the north have been submitted and are currently in review; approval of the applications would facilitate development of the property to the north with an 800,000 square foot building featuring manufacturing, warehousing, and retail components.
EAST OF 107TH AVENUE	Multiple parcels zoned Griffith Commerce Park Planned Area Development (PAD), allowing for a mix of Commerce Park (CP) and Community Commercial (C-2) uses. Developed parcels include Universal Technical Institute (UTI), Enterprise Rent-a-Car, a used car dealership, and the recently completed Avondale 107 Commerce Park featuring four large buildings for light industrial use. The remaining parcels are undeveloped.
SOUTH OF VAN BUREN STREET	Roosevelt Park I, a fully developed 481-lot single-family residential subdivision, zoned Roosevelt Park Planned Area Development (PAD).
WEST	A site owned by the Littleton Elementary School District (LESD), upon which a future elementary school will be constructed. The school site is part of the Roosevelt Park development, zoned Roosevelt Park Planned Area Development (PAD).
GENERAL PLAN	
Except for the 10.9-acre commercial corner, which is designated Local Commercial, Roosevelt Park II is designated Medium High Density Residential (MHDR). The MHDR designation allows for development of single-family detached, single-family attached, townhomes, condominiums, patio homes and casitas in a density range of 4.0 to 12.0 dwelling units per acre (4.0 du/acre target density).	

PUBLIC SCHOOLS	
SCHOOL DISTRICT(S)	Littleton Elementary School District and Tolleson Union High School District
ELEMENTARY SCHOOLS	School of choice
HIGH SCHOOL	La Joya High School

107th Avenue	
Classification	Minor Arterial
Existing half-street ROW	None
Standard half-street ROW	65 feet
Existing half-street improvements	None
Standard half-street improvements	2 travel lanes, turn lane, bike lane, curb and gutter, sidewalk, street lights, and landscaping

Van Buren Street	
Classification	Arterial
Existing half-street ROW	65 feet

Standard half-street ROW	65 feet
Existing half-street improvements	Two Traffic Lanes in each direction
Standard half-street improvements	Two traffic lanes in each direction with ½ center turn lane, curb, gutter, sidewalk, landscaping and streetlights.

UTILITIES
Water is served to the Roosevelt Park II Phase 4 development by an 8-inch water line from Phase 1 and a 12-inch water line in Roosevelt Street that will be installed with Phase 3. Sewer is served to the Roosevelt Park II Phase 4 development by 2-10-inch sewer in Van Buren Street in Roosevelt Park I. Salt River Project (SRP) provides electricity in this portion of Avondale.

Exhibit E

Approved Preliminary Plat

Roosevelt Park II Phase 4

Received May 17, 2021

APPROVED

17-414 - Roosevelt Park - Phase 4

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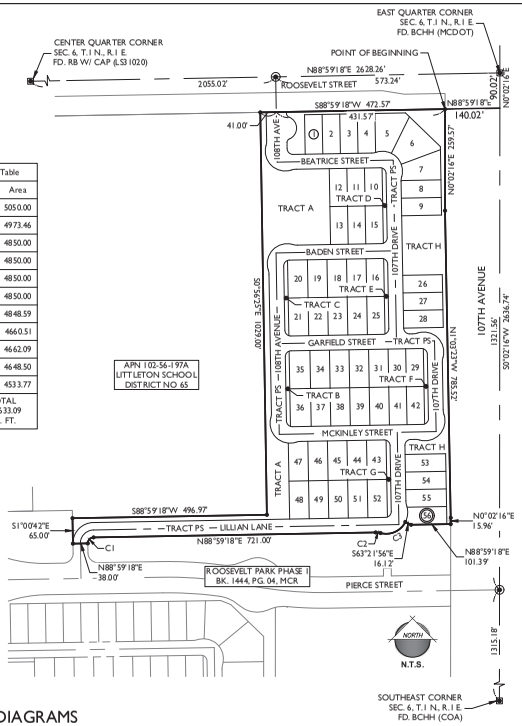
dhughes

PRELIMINARY PLAT FOR ROOSEVELT PARK PHASE 4

A PORTION OF THE SOUTHEAST QUARTER, SECTION 6, T.1 N., R.1 E., GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



Lot Table		Lot Table		Lot Table		Lot Table	
Lot #	Area	Lot #	Area	Lot #	Area	Lot #	Area
1	4545.00	16	4363.59	31	4850.00	46	5050.00
2	4545.00	17	4850.00	32	4850.00	47	4973.46
3	4545.00	18	4850.00	33	4850.00	48	4850.00
4	4540.54	19	4850.00	34	4850.00	49	4850.00
5	6602.89	20	4927.39	35	5145.44	50	4850.00
6	7734.97	21	4927.39	36	5145.44	51	4850.00
7	5937.69	22	4850.00	37	4850.00	52	4848.59
8	4589.93	23	4850.00	38	4850.00	53	4660.51
9	4590.00	24	4850.00	39	4850.00	54	4662.09
10	4363.59	25	4363.59	40	4850.00	55	4648.50
11	4365.00	26	4551.54	41	4365.00	56	4533.77
12	4365.00	27	4553.12	42	4363.59	TOTAL 269,633.09 SQ. FT.	
13	4365.00	28	4554.70	43	5048.59		
14	4365.00	29	4363.59	44	5050.00		
15	4363.59	30	4365.00	45	5050.00		

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE / OPEN SPACE / RETENTION / AMENITY	62171	1.427
B	LANDSCAPE / OPEN SPACE	1846	0.042
C	LANDSCAPE / OPEN SPACE	1846	0.042
D	LANDSCAPE / OPEN SPACE	1846	0.042
E	LANDSCAPE / OPEN SPACE	1846	0.042
F	LANDSCAPE / OPEN SPACE	1846	0.042
G	LANDSCAPE / OPEN SPACE	1886	0.043
H	LANDSCAPE / OPEN SPACE / RETENTION	43366	0.996
TOTAL OPEN SPACE AREA		116653	2.676
PS	PRIVATE STREET TRACT	143252	3.289
TOTAL TRACT AREA		259905	5.965

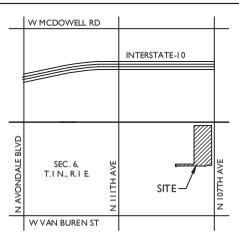
CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	23.56'	15.00'	21.21'	090°00'00"
C2	12.77'	45.00'	12.73'	016°15'37"
C3	75.46'	55.00'	69.68'	078°36'51"

LEGEND

- PROPERTY BOUNDARY
- STREET CENTERLINE
- RIGHT OF WAY
- LOT LINE
- PUBLIC UTILITY EASEMENT
- SIGHT VISIBILITY TRIANGLE
- WATER LINE
- SEWER LINE

VICINITY MAP

N.T.S.



PROJECT TEAM

PROPERTY REPRESENTATIVE:
MATTANY ARIZONA, LLC
9200 E PIMA CENTER PKWY, STE. 160
SCOTTSDALE, AZ 85258
TEL: (480)-291-8146
FAX: (480)-302-6076
CONTACT: CHRIS BRAMWELL

CIVIL ENGINEER
EPS GROUP, INC.
1130 N ALMA SCHOOL, STE. 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: JOE PETRUCCI, P.E.

LANDSCAPE ARCHITECT:
ANDERSONBARON
50 N. MCCLINTOCK DRIVE, SUITE 1
CHANDLER, AZ 85226
TEL: (480)-699-7956
FAX: (480)-699-7986
CONTACT: ALEX FISH

PROJECT INFORMATION

LOCATION:	NEC OF VAN BUREN STREET AND 111TH AVE
A.P.N.:	102-56-197B; PORTION OF 102-56-005Z
GENERAL PLAN:	MEDIUM HIGH DENSITY RESIDENTIAL
ZONING:	PAD
GROSS AREA:	+/- 15.43 AC.
NET AREA:	+/- 12.16 AC.
NO. OF LOTS:	
45' x 95'	28 LOTS
50' x 95'	28 LOTS
TOTAL	56 LOTS
DENSITY:	+/- 4.6 DU/NET AC.
OPEN SPACE:	2.68 ACRES (22% OF NET AREA)
OPEN SPACE (PHASE 1, 2, 3, & 4):	24.50 ACRES (23.6% OF PHASE 1, 2, 3 & 4 NET AREA)

PRELIMINARY PLAT NOTES

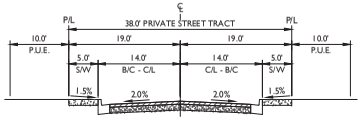
1. ALL LANDSCAPING WITHIN ADJACENT PUBLIC RIGHT-OF-WAY IS TO BE MAINTAINED BY THE ROOSEVELT PARK HOMEOWNERS' ASSOCIATION, EXCLUDING MEDIANS ON ARTERIAL STREETS.
2. ALL UTILITY AND PUBLIC SERVICE EASEMENTS, INCLUDING ANY LIMITATIONS OF EASEMENTS; AND CONSTRUCTION WITHIN SUCH EASEMENTS SHALL BE LIMITED TO UTILITIES, LANDSCAPING, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCES.
3. ALL EXISTING OVERHEAD UTILITIES SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH CITY OF AVONDALE MUNICIPAL CODE AND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
4. NO ALTERATIONS SHALL BE MADE TO THE STORM WATER RETENTION AREAS AND APPROVED OR EXISTING CONVEYANCE PATTERNS THAT ARE A PART OF THESE PREMISES WITHOUT WRITTEN AUTHORIZATION BY THE CITY OF AVONDALE.
5. NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS SUBDIVISION WITHOUT WRITTEN AUTHORIZATION BY THE CITY OF AVONDALE.
6. NO WALLS/FENCES SHALL BE BUILT WITHOUT PRIOR CITY OF AVONDALE APPROVAL.
7. EACH FINAL PLAT SHALL INCLUDE A NOTE THAT STATES THAT THE SUBDIVISION IS SUBJECT TO A MAINTENANCE IMPROVEMENT DISTRICT.
8. THE ROOSEVELT PARK HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE VAN BUREN STREET TRAIL EASEMENT.
9. THE ROOSEVELT PARK HOMEOWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF PRIVATE STREETS, ALL LANDSCAPING IN PRIVATE TRACTS, AND ADJOINING PRIVATE PROPERTY OUTSIDE OF INDIVIDUAL LOT WALLS.
10. HOMES ON LOTS WITH AN ASTERISK SHALL BE REQUIRED TO UTILIZE A HOUSE PLAN / ELEVATION WHERE THE GARAGE IS SITUATED ON THE SIDE OF THE LOT MOST VULNERABLE TO HEADLIGHT INTRUSION.
11. THE SOUTHERN 50 FEET OF ROOSEVELT STREET'S EXISTING 90 FEET RIGHT OF WAY SHALL BE ABANDONED IN THE FUTURE BY SEPARATE INSTRUMENT.

FLOOD ZONE

ZONE X: AREAS OF 0.2% ANNUAL CHANVE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

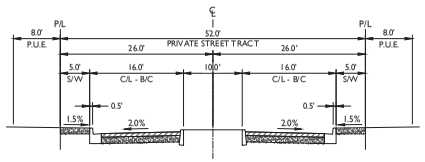
SHEET INDEX

SHEET 1	CS01	COVER SHEET
SHEET 2	PP01	PRELIMINARY PLAT
SHEET 3	PP02	PHASING PLAN



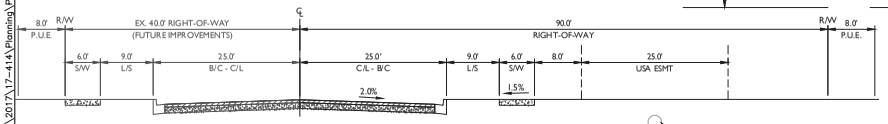
PRIVATE STREET - PARKING ON ONE SIDE

N.T.S



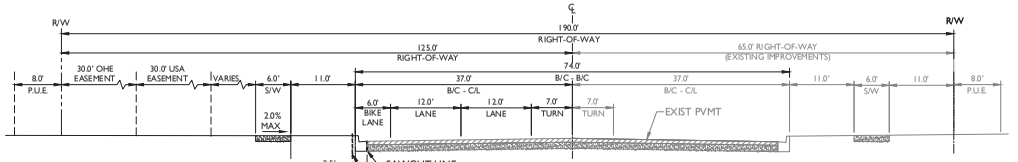
ENTRY DRIVE OFF ROOSEVELT STREET

N.T.S



ROOSEVELT STREET

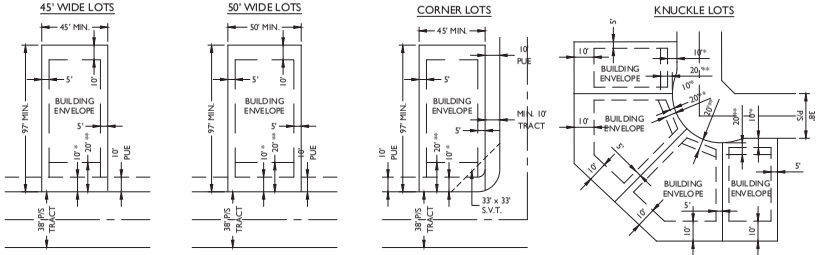
EXISTING SRP IRRIGATION PIPE



107TH AVENUE

N.T.S - LOOKING NORTH

LOT DIAGRAMS



FRONT SETBACK NOTES:
* FRONT LIVABLE / SIDE-LOADED GARAGE
** FRONT FACING GARAGE

ROOSEVELT PARK PAD DEVELOPMENT STANDARDS		
STANDARD	50' x 95'	45' x 95'
MIN. LOT AREA	4,750 SF	4,275 SF
MIN. LOT WIDTH	50'	45'
MIN. LOT DEPTH	95'	95'
MAX. HEIGHT	2 STORIES / 30'	2 STORIES / 30'
FRONT LIVABLE/SIDE-LOADED GARAGE	10'	10'
GARAGE	20'	20'
SIDE	5'	5'
CORNER LOT - SIDE (ADJACENT TO 10' TRACT)	5' LIVABLE STRUCTURE (2)	5' LIVABLE STRUCTURE (2)
REAR	10'	10' (3)
DISTANCE BETWEEN BUILDINGS	10'	10'
MAX. LOT COVERAGE	*	*

NOTES:
(2) FOR CORNER LOTS, A PROJECTION IS ALLOWED FOR ARCHITECTURAL ARTICULATION INTO THE SIDE SETBACK, AND A 5' PROJECTION IS ALLOWED FOR NON-LIVABLE PATIOS AND PORCHES INTO THE SIDE SETBACK.
(3) FOR STREET LOADED HOMES, A 5' PROJECTION INTO THE REAR SETBACK IS ALLOWED FOR NON-LIVABLE PATIOS AND PORCHES.
* LOT COVERAGE WILL BE DICTATED BY SETBACKS. SETBACKS WILL SUPERSEDE LOT COVERAGE REQUIREMENTS IN ANY STATED ZONING CATEGORY.

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

Project:
Roosevelt Park - Phase 4
Avondale, AZ

Cover Sheet

Revisions:
DECEMBER 21, 2020 - 1ST PRELIMINARY PLAT SUB.
APRIL 30, 2021 - 2ND PRELIMINARY PLAT SUB.
MAY 10, 2021 - 3RD PRELIMINARY PLAT SUB.

Call at least two full working days before you begin excavation.
ARIZONA BLUE STAKE, INC.
Maricopa County (602) 263-1100

Designer:
Drawn by: DCH

Registered Professional Engineer (Civil)
CERTIFICATE NO. 54540
JOSEPH M. PETRUCCI III
04-09-21
ARIZONA, U.S.A.

Job No.
17-414

CS01

Sheet No.
1
of 3

17-414 - Roosevelt Park - Phase 4

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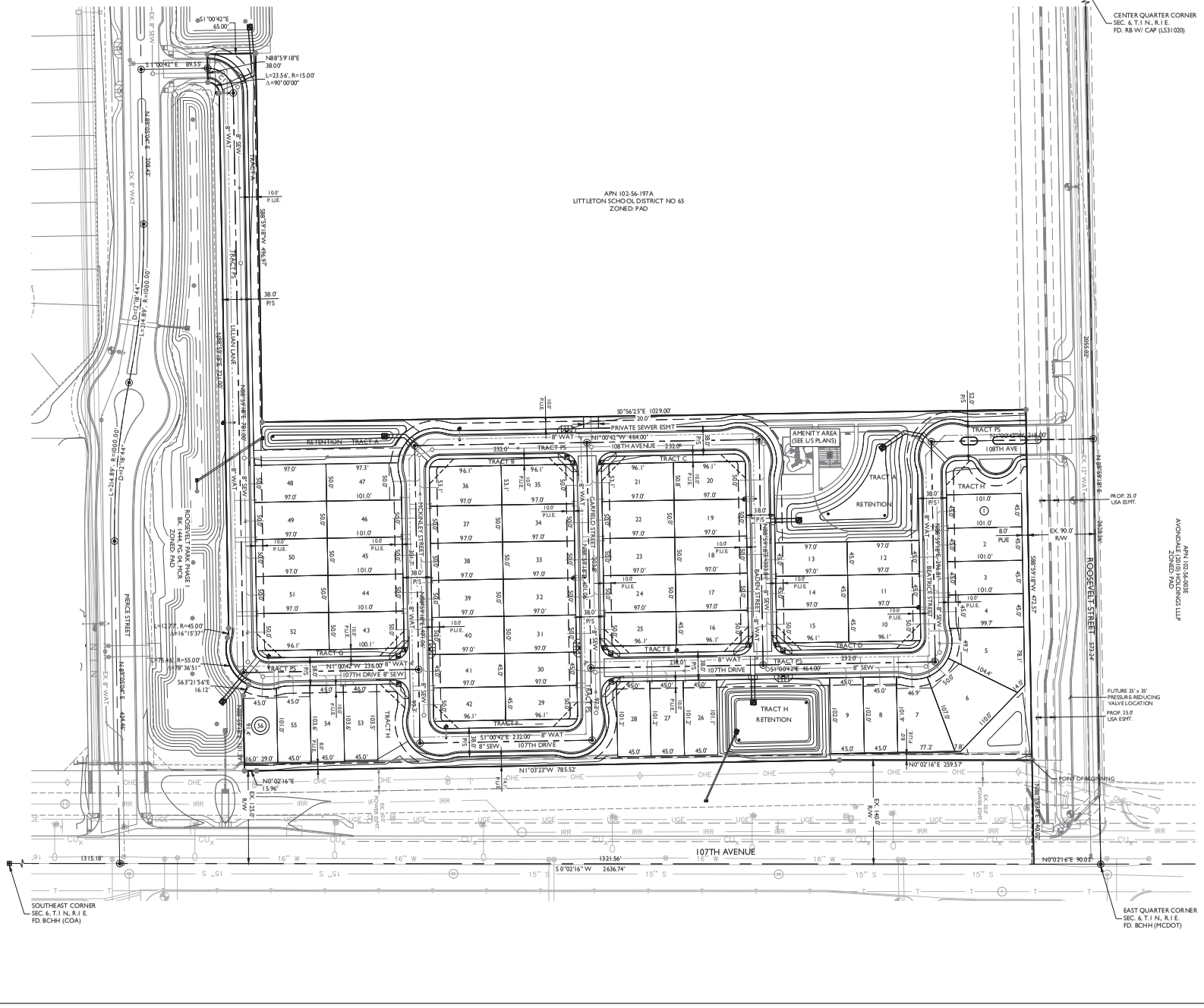

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	53.41'	34.00'	48.08'	090°00'00"

EPS GROUP
1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T: 480.503.2250 | F: 480.503.2258
www.eps-g.com | AZ RegistrationNo. C-0108

Project:

Roosevelt Park - Phase 4

Avondale, AZ

Preliminary Plat

Revisions:

DECEMBER 21, 2020 - 1ST PRELIMINARY PLAT SUB.
APRIL 13, 2021 - 2ND PRELIMINARY PLAT SUB.
MAY 10, 2021 - 3RD PRELIMINARY PLAT SUB.

Call at least two full working days before you begin excavation.
ARIZONA BLUE STAKE, INC.
Maricopa County (602) 263-1100
Outside Maricopa County (800) 782-5348

Designer:

Drawn by: DCH

Registered Professional Engineer (Civil)
CERTIFICATE NO.
54540
JOSEPH M.
PETRUCCI III
Date Signed 04-07-21
ARIZONA, U.S.A.

Job No.
17-414

PP01

Sheet No.
2
of 3

17-414 - Roosevelt Park - Phase 4

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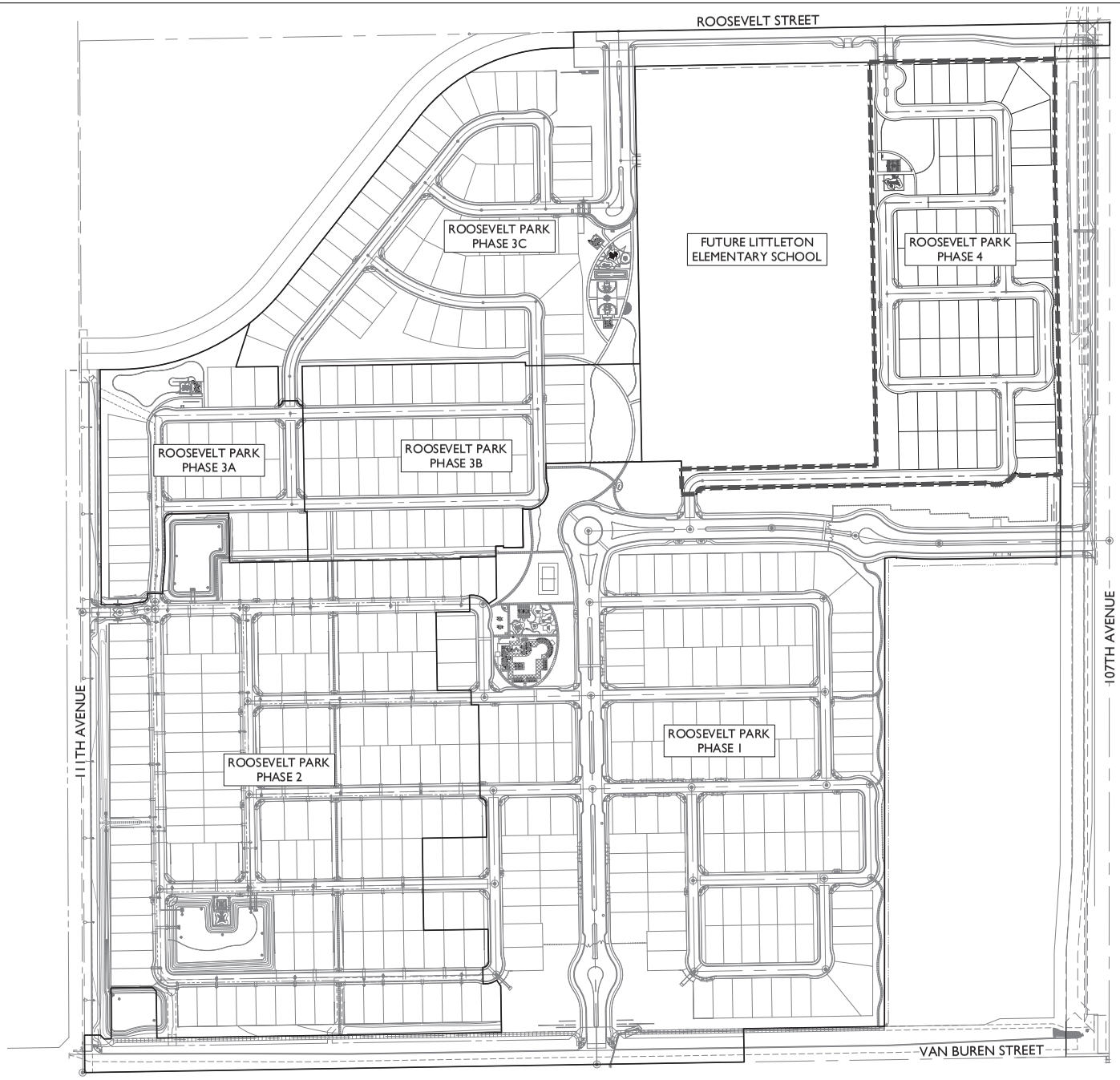


NORTH

120 0 120 240
scale feet

EPS GROUP
1130 N Alma School Road
Suite 120
Mesa, AZ 85201
T 480.503.2250 | F 480.503.2258
www.epsgroup.com

Project:

Roosevelt Park - Phase 4
Avondale, AZ

Phasing Plan

Revisions:

DECEMBER 21, 2020 - 1ST PRELIMINARY PLAT SUB.
APRIL 30, 2021 - 2ND PRELIMINARY PLAT SUB.
MAY 10, 2021 - 3RD PRELIMINARY PLAT SUB.

Call at least two full working days before you begin excavation.
BLUE STAKE, INC.
Maricopa County (602) 263-1100
Outside Maricopa County (800) 782-5348

Designer:
Drawn by: DCH

Registered Professional Engineer (Civil)
CERTIFICATE NO. 54540
JOSEPH M. PETRUCCI III
Date Signed 04-07-21
ARIZONA, U.S.A.

Job No.
17-414

PP02

Sheet No.
3
of 3

Exhibit F

Proposed Final Plat

Roosevelt Park II Phase 4

Submitted July 22, 2021

FINAL PLAT OF
"ROOSEVELT PARK - PHASE 4"
A PORTION OF THE SOUTHEAST QUARTER OF SECTION 6,
TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA

KNOW ALL MEN BY THESE PRESENTS:

THAT MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "ROOSEVELT PARK – PHASE 4", A PORTION OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF "ROOSEVELT PARK – PHASE 4", A PLANNED RESIDENTIAL DEVELOPMENT, AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, TRACTS, STREETS AND EASEMENTS CONSTITUTING SAME, AND THAT EACH LOT, TRACT, AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME GIVEN EACH RESPECTIVELY ON SAID PLAT.

TRACTS "A" THROUGH "H" ARE HEREBY DECLARED AS COMMON AREAS TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. AN EASEMENT FOR DRAINAGE IS HEREBY DEDICATED TO THE HOMEOWNERS ASSOCIATION OVER TRACTS "A" AND "C". ALL VEHICULAR NON ACCESS EASEMENTS ARE HEREBY DEDICATED TO THE HOMEOWNERS ASSOCIATION.

TRACT "I" IS HEREBY DECLARED AS A PRIVATE STREET TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. AN EASEMENT FOR PUBLIC WATER AND SEWER, REFUSE COLLECTION, DRAINAGE, AND EMERGENCY AND SERVICE TYPE VEHICLE ACCESS IS HEREBY DEDICATED TO THE PUBLIC OVER TRACT "I".

AN EASEMENT FOR PUBLIC UTILITY IS HEREBY DEDICATED TO THE CITY OF AVONDALE.

AN EASEMENT FOR SEWER IS HEREBY DEDICATED TO THE CITY OF AVONDALE.

THE CITY IS HEREBY GRANTED AN EASEMENT FOR MAINTENANCE OF LANDSCAPING, IRRIGATION, DRAINAGE FACILITIES, HARDSCAPE AND RETENTION AREAS ON TRACTS "A" THROUGH "I". THIS EASEMENT MAY BE EXERCISED BY THE CITY OF AVONDALE AT ANY SUCH TIME WHEN THE GRANTOR, ITS SUCCESSORS OR ASSIGNEES, INCLUDING A HOMEOWNERS' ASSOCIATION FORMED OVER THIS SUBDIVISION FAILS TO EXIST AND PROVIDE THE REQUIRED MAINTENANCE AND OPERATION OF THE LANDSCAPING, IRRIGATION, DRAINAGE FACILITIES, RETENTION AREAS, AND/OR HARDSCAPE.

IN WITNESS WHEREOF, MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREUNDER CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF ______, ITS ______, THEREUNTO DULY AUTHORIZED THIS ____ DAY OF ______, 2021

______
OWNER/AUTHORIZED SIGNER

ACKNOWLEDGMENT

STATE OF ARIZONA } S.S.
COUNTY OF MARICOPA

BEFORE ME THIS ______ DAY OF ______, 2021, ______ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIMSELF TO BE ______ OF MATTAMY ARIZONA, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, THE LEGAL OWNER OF THE PROPERTY PLATTED HEREON AND ACKNOWLEDGE THAT ______ AS ______, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: ______
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

RATIFICATION AND CONSENT

KNOW ALL MEN BY THESE PRESENTS:

BY THIS RATIFICATION ______ DULY ELECTED PRESIDENT OF THE ROOSEVELT PARK HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATIOON ACKNOWLEDGES THE RESPONSIBILITIES DEDCATED HEREON.

BY: ______

ITS: ______

ACKNOWLEDGMENT

STATE OF ARIZONA } S.S.
COUNTY OF MARICOPA

BEFORE ME THIS ______ DAY OF ______, 2021, ______ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIMSELF/HERSELF TO BE ______ OF ROOSEVELT PARK HOMEOWNERS ASSOCIATION, AN ARIZONA NON-PROFIT CORPORATIOON, ACKNOWLEDGE THAT HE/SHE, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: ______
NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

UTILITY PROVIDERS

WATER	CITY OF AVONDALE
SEWER	CITY OF AVONDALE
REFUSE	CITY OF AVONDALE
FIRE	CITY OF AVONDALE
GAS	SOUTHWEST GAS
ELECTRIC	SALT RIVER PROJECT (SRP)
TELEPHONE	CENTURYLINK / COX COMMUNICATIONS
CABLE TV	CENTURYLINK / COX COMMUNICATIONS
POLICE	CITY OF AVONDALE

NOTES

1. ALL LANDSCAPING WITHIN ADJACENT PUBLIC RIGHT-OF-WAY IS TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION, EXCLUDING MEDIANS ON ARTERIAL STREETS.
2. ALL UTILITY AND PUBLIC SERVICE EASEMENTS, INCLUDING ANY LIMITATIONS OF EASEMENTS; AND CONSTRUCTION WITHIN SUCH EASEMENTS SHALL BE LIMITED TO UTILITIES, LANDSCAPING, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCES.
3. ALL EXISTING OVERHEAD UTILITIES SHALL BE INSTALLED UNDERGROUND IN ACCORDANCE WITH CITY OF AVONDALE MUNICIPAL CODE AND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
4. NO ALTERATIONS SHALL BE MADE TO THE STORM WATER RETENTION AREAS AND APPROVED OR EXISTING CONVEYANCE PATTERNS THAT ARE A PART OF THESE PREMISES WITHOUT WRITTEN APPROVAL BY THE CITY OF AVONDALE.
5. NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS SUBDIVISION WITHOUT WRITTEN AUTHORIZATION BY THE CITY OF AVONDALE.
6. NO WALLS/FENCES SHALL BE BUILT WITHOUT PRIOR CITY OF AVONDALE APPROVAL.
7. THIS SUBDIVISION IS SUBJECT TO A MAINTENANCE IMPROVEMENT DISTRICT (MID).

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6, BEING MARKED BY A MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 6, BEING MARKED BY A CITY OF AVONDALE BRASS CAP IN HAND HOLE, BEARS SOUTH 0 DEGREES 02 MINUTES 16 SECONDS WEST, 2,636.74 FEET;

THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, SOUTH 0 DEGREES 02 MINUTES 16 SECONDS WEST, 90.02 FEET;

THENCE SOUTH 88 DEGREES 59 MINUTES 18 SECONDS WEST, 140.02 FEET TO THE CORNER OF A RIGHT OF WAY DESCRIBED IN DOCUMENT NUMBER 2014-0188072 OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, SAID CORNER BEING THE POINT OF BEGINNING;

THENCE ALONG SAID RIGHT OF WAY, SOUTH 0 DEGREES 02 MINUTES 16 SECONDS WEST, 259.57 FEET;

THENCE ALONG SAID RIGHT OF WAY, SOUTH 1 DEGREES 03 MINUTES 23 SECONDS EAST, 785.52 FEET;

THENCE ALONG SAID RIGHT OF WAY, SOUTH 0 DEGREES 02 MINUTES 16 SECONDS WEST, 15.96 FEET TO THE NORTHEAST CORNER OF 'ROOSEVELT PARK – PHASE 1', BOOK 1444 OF MAPS, PAGE 04, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG THE NORTHERLY BOUNDARY OF SAID 'ROOSEVELT PARK – PHASE 1"SOUTH 88 DEGREES 59 MINUTES 18 SECONDS WEST, 101.39 FEET;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 63 DEGREES 21 MINUTES 56 SECONDS WEST, 16.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 63 DEGREES 21 MINUTES 56 SECONDS WEST A DISTANCE OF 55.00 FEET;

THENCE SOUTHWESTERLY 75.46 FEET ALONG SAID NORTHERLY BOUNDARY AND ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 78 DEGREES 36 MINUTES 51 SECONDS TO A POINT OF REVERSE CURVATURE OF A CURVE HAVING A RADIUS OF 45.00 FEET;

THENCE NORTHWESTERLY 12.77 FEET ALONG SAID NORTHERLY BOUNDARY AND ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 16 DEGREES 15 MINUTES 37 SECONDS;

THENCE ALONG SAID NORTHERLY BOUNDARY, SOUTH 88 DEGREES 59 MINUTES 18 SECONDS WEST, 721.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHEAST, HAVING A RADIUS OF 15.00 FEET;

THENCE SOUTHWESTERLY 23.56 FEET ALONG SAID NORTHERLY BOUNDARY AND ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS;

THENCE ALONG SAID NORTHERLY BOUNDARY, SOUTH 88 DEGREES 59 MINUTES 18 SECONDS WEST, 38.00 FEET;

THENCE ALONG SAID NORTHERLY BOUNDARY, NORTH 1 DEGREES 00 MINUTES 42 SECONDS WEST, 65.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF A PARCEL DESCRIBED IN DOCUMENT NUMBER 2003-71295 OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

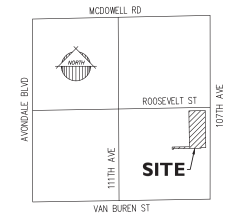
THENCE ALONG SAID SOUTHERLY BOUNDARY, NORTH 88 DEGREES 59 MINUTES 18 SECONDS EAST, 496.97 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL;

THENCE ALONG THE EASTERLY BOUNDARY OF SAID PARCEL, NORTH 0 DEGREES 56 MINUTES 25 SECONDS WEST, 1,029.00 FEET TO A POINT ON A RIGHT OF WAY DESCRIBED IN DOCUMENT NUMBER 2014-0188072 OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE ALONG SAID RIGHT OF WAY, NORTH 88 DEGREES 59 MINUTES 18 SECONDS EAST, 472.57 FEET TO THE POINT OF BEGINNING.

FLOODPLAIN DESIGNATION

THE PLATTED PROPERTY APPEARS TO LIE WITHIN ZONE X SHADED OTHER FLOOD AREAS (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE MARICOPA COUNTY, COMMUNITY PANEL NO. 04013C2160L, EFFECTIVE DATE OCTOBER 16, 2013.



SECTION 6
T.1 N., R.1 E.

VICINITY MAP
NOT TO SCALE

OWNER / DEVELOPER

MATTAMY ARIZONA, LLC
9200 E PIMA CENTER PKWY, SUITE 160
SCOTTSDALE, AZ 85258
TEL: (480) 291-8111
CONTACT: KEVIN RUST
kevin.rust@mattamycorp.com

ENGINEER

EPS GROUP, INC.
1130 N. ALMA SCHOOL, STE. 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: JOE PETRUCCI, P.E.

AREA BREAKDOWN

LOTS "1" – "56"	269,633 SF±	6.1899 AC±
TRACTS "A" – "H"	116,652 SF±	2.6780 AC±
TRACT "I" (PRIVATE STREET)	143,252 SF±	3.2886 AC±
TOTAL	529,537 SF±	12.1565 AC±

100-YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREAS OF THE CITY OF AVONDALE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576 ARIZONA REVISED STATUTES.

REFERENCE DOCUMENTS

RESULTS OF SURVEY RECORDED IN BOOK 686, PAGE 43 OF MARICOPA COUNTY RECORDS

BASIS OF BEARING

THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, BEING SOUTH 0 DEGREES 23 MINUTES 16 SECONDS WEST.

BENCHMARK

MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION BRASS CAP IN HANDHOLE AT THE INTERSECTION OF 107TH AVENUE & ROOSEVELT ST MARKING THE EAST QUARTER CORNER OF SECTION 6, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN.

ELEVATION=1011.41' (NAVD'88)

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND MAP OF DEDICATION OF THE PREMISES DESCRIBED AND MAPPED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF MAY, 2021; THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT THEIR POSITIONS ARE CORRECTLY SHOWN; AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

RAYMOND S MUNOZ III
EPS GROUP INC
1130 N. ALMA SCHOOL, STE. 120
MESA, AZ 85201
TEL: (480)-503-2250
FAX: (480)-503-2258

REGISTERED LAND SURVEYOR
CERTIFICATE NO. 53160
RAYMOND S. MUNOZ III
Date Signed 7/21/2021
ARIZONA, U.S.A.
Expires 3/31/2024

APPROVALS

FINAL PLAT APPROVED AND DEDICATED RIGHT-OF-WAY AND EASEMENTS ACCEPTED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA ON THIS ______ DAY OF ______, 2021

______ MAYOR ______ DATE

______ ATTEST, CITY CLERK ______ DATE

______ CITY ENGINEER ______ DATE

EPS GROUP
1130 N. Alma School Rd, Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.835.1799
www.epsgroupinc.com

FINAL PLAT OF
"ROOSEVELT PARK - PHASE 4"
AVONDALE, ARIZONA

Project:

Revisions:

ARIZONA 811 — Call at least two full working days before you begin excavation. Dial 8-1-1 or 1-800-STAKE-IT (782-5348). In Maricopa County: (602)263-1100

Drawn by: A.G.
Reviewed by: R.M.

Job No. 17-414
FP01
Sheet No. 1 of 3

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
1	4,545	0.1043
2	4,545	0.1043
3	4,545	0.1043
4	4,541	0.1042
5	6,603	0.1516
6	7,735	0.1776
7	5,938	0.1363
8	4,590	0.1054
9	4,590	0.1054
10	4,364	0.1002
11	4,365	0.1002
12	4,365	0.1002
13	4,365	0.1002
14	4,365	0.1002

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
15	4,364	0.1002
16	4,364	0.1002
17	4,850	0.1113
18	4,850	0.1113
19	4,850	0.1113
20	4,927	0.1131
21	4,927	0.1131
22	4,850	0.1113
23	4,850	0.1113
24	4,850	0.1113
25	4,364	0.1002
26	4,552	0.1045
27	4,553	0.1045
28	4,555	0.1046

LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
29	4,364	0.1002
30	4,365	0.1002
31	4,850	0.1113
32	4,850	0.1113
33	4,850	0.1113
34	4,850	0.1113
35	5,145	0.1181
36	5,145	0.1181
37	4,850	0.1113
38	4,850	0.1113
39	4,850	0.1113
40	4,850	0.1113
41	4,365	0.1002
42	4,364	0.1002

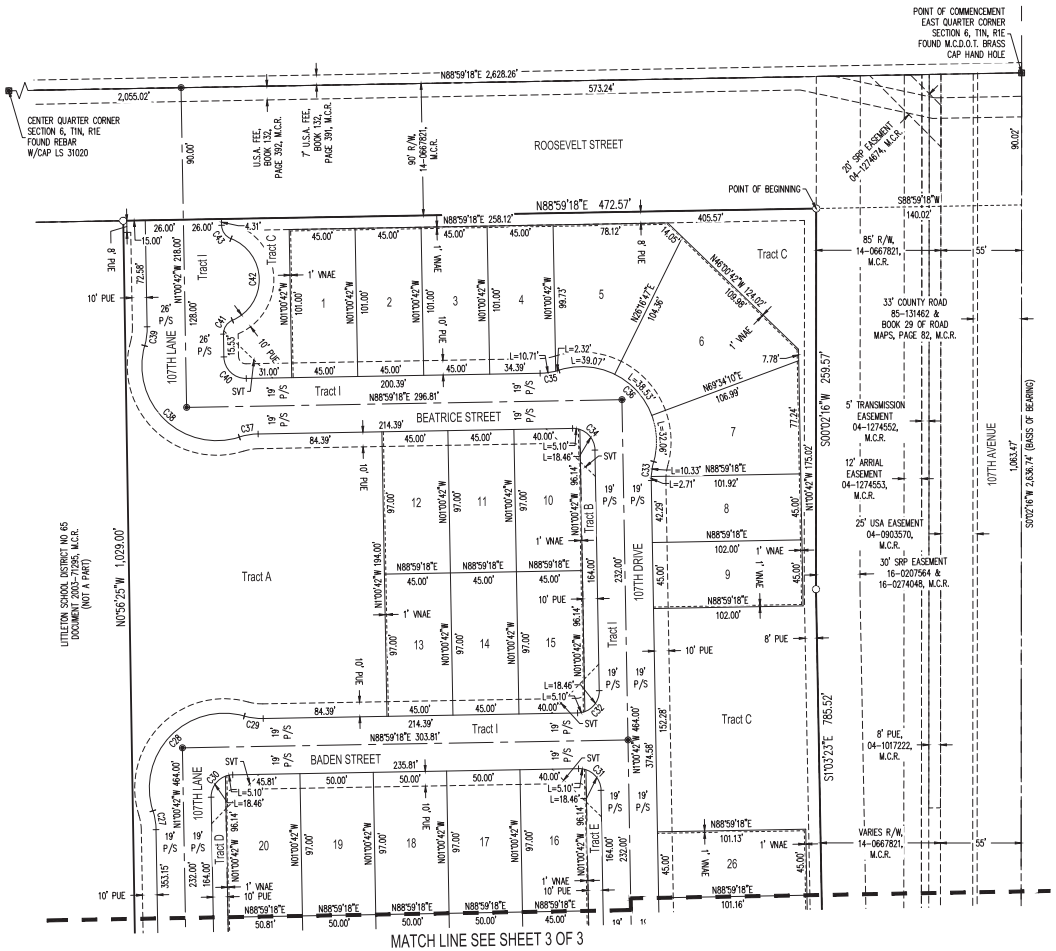
LOT AREA TABLE		
LOT #	AREA (SF)	AREA (AC)
43	5,049	0.1159
44	5,050	0.1159
45	5,050	0.1159
46	5,050	0.1159
47	4,973	0.1142
48	4,850	0.1113
49	4,850	0.1113
50	4,850	0.1113
51	4,850	0.1113
52	4,849	0.1113
53	4,661	0.1070
54	4,662	0.1070
55	4,649	0.1067
56	4,534	0.1041

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	75.46'	55.00'	78°36'51"	69.68'	S65°56'30"W
C2	12.77'	45.00'	16°15'37"	12.73'	N82°52'53"W
C3	23.56'	15.00'	90°00'00"	21.21'	S43°59'18"W
C4	83.25'	53.00'	90°00'00"	74.95'	S43°59'18"W
C5	53.41'	34.00'	90°00'00"	48.08'	S43°59'18"W
C6	23.56'	15.00'	90°00'00"	21.21'	N43°59'18"E
C7	12.77'	45.00'	16°15'37"	12.73'	S09°08'30"E
C8	42.15'	55.00'	43°54'22"	41.12'	N04°40'53"E
C9	23.56'	15.00'	90°00'00"	21.21'	S43°59'18"W
C10	13.04'	45.00'	16°35'54"	12.99'	N82°42'46"W
C11	109.66'	51.00'	123°11'44"	89.72'	N43°59'18"E
C12	13.04'	45.00'	16°35'52"	12.99'	S09°18'38"E
C13	23.56'	15.00'	90°00'00"	21.21'	N46°00'42"W
C14	23.56'	15.00'	90°00'00"	21.21'	N43°59'18"E
C15	13.04'	45.00'	16°35'52"	12.99'	S80°41'22"W
C16	13.04'	45.00'	16°35'52"	12.99'	N07°17'15"E
C17	23.56'	15.00'	90°00'02"	21.21'	S46°00'42"E
C18	109.66'	51.00'	123°11'44"	89.72'	S46°00'42"E
C19	13.04'	45.00'	16°35'52"	12.99'	S07°17'15"W
C20	109.66'	51.00'	123°11'44"	89.72'	N46°00'42"W
C21	13.04'	45.00'	16°35'52"	12.99'	N80°41'22"E
C22	23.56'	15.00'	90°00'00"	21.21'	S46°00'42"E

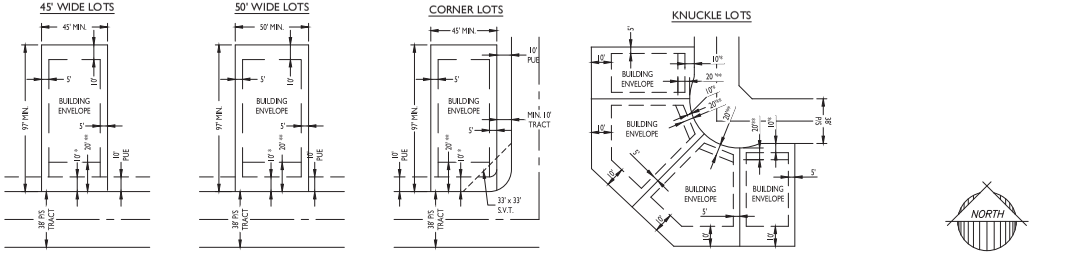
CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C23	23.56'	15.00'	90°00'00"	21.21'	N46°00'42"W
C24	23.56'	15.00'	90°00'00"	21.21'	S43°59'18"W
C25	23.56'	15.00'	90°00'00"	21.21'	S46°00'42"E
C26	23.56'	15.00'	90°00'00"	21.21'	N43°59'18"E
C27	13.04'	45.00'	16°35'52"	12.99'	N09°18'38"W
C28	109.66'	51.00'	123°11'44"	89.72'	S43°59'18"W
C29	13.04'	45.00'	16°35'52"	12.99'	S82°42'45"E
C30	23.56'	15.00'	90°00'00"	21.21'	S43°59'18"W
C31	23.56'	15.00'	90°00'00"	21.21'	N46°00'42"W
C32	23.56'	15.00'	90°00'00"	21.21'	N43°59'18"E
C33	13.04'	45.00'	16°35'52"	12.99'	S07°17'15"W
C34	23.56'	15.00'	90°00'00"	21.21'	N46°00'42"W
C35	13.04'	45.00'	16°35'52"	12.99'	N80°41'22"E
C36	109.66'	51.00'	123°11'44"	89.72'	N46°00'42"W
C37	13.04'	45.00'	16°35'52"	12.99'	S80°41'22"W
C38	109.66'	51.00'	123°11'44"	89.72'	S46°00'42"E
C39	13.04'	45.00'	16°35'52"	12.99'	N07°17'15"E
C40	23.56'	15.00'	90°00'00"	21.21'	S46°00'42"E
C41	11.86'	10.00'	67°58'32"	11.18'	S32°58'35"W
C42	71.18'	30.00'	135°57'05"	55.62'	N01°00'42"W
C43	11.86'	10.00'	67°58'32"	11.18'	S34°59'58"E

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
Tract A	LANDSCAPE, OPEN SPACE, PUBLIC UTILITY EASEMENT, SEWER EASEMENT, RETENTION AND AMENITY	62,171	1.4273
Tract B	LANDSCAPE, OPEN SPACE AND PUBLIC UTILITY EASEMENT	1,846	0.0424
Tract C	LANDSCAPE, OPEN SPACE, PUBLIC UTILITY EASEMENT AND RETENTION	43,363	0.9955
Tract D	LANDSCAPE, OPEN SPACE AND PUBLIC UTILITY EASEMENT	1,846	0.0424
Tract E	LANDSCAPE, OPEN SPACE AND PUBLIC UTILITY EASEMENT	1,846	0.0424
Tract F	LANDSCAPE, OPEN SPACE AND PUBLIC UTILITY EASEMENT	1,846	0.0424
Tract G	LANDSCAPE, OPEN SPACE AND PUBLIC UTILITY EASEMENT	1,846	0.0424
Tract H	LANDSCAPE, OPEN SPACE AND PUBLIC UTILITY EASEMENT	1,886	0.0433
Tract I	PRIVATE STREET, PUBLIC UTILITY EASEMENT, REFUSE COLLECTION AND EMERGENCY ACCESS	143,252	3.2886

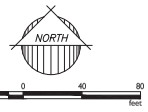
LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°02'16"W	15.96'
L2	S88°59'18"W	101.39'
L3	N63°21'56"W	16.12'
L4	S88°59'18"W	38.00'
L5	N01°00'42"W	65.00'
L6	N00°02'16"E	16.04'



LOT DIAGRAMS



NOTES:
* FRONT LIVABLE / SIDE-LOADED GARAGE
** FRONT FACING GARAGE



EPS GROUP
1130 N. Alma School Rd. Suite 120
Mesa, AZ 85201
T 480.503.2250 | F 480.835.1799
W W W . E P S G R O U P . C O M

Project:

"ROOSEVELT PARK - PHASE 4"

AVONDALE, ARIZONA

FINAL PLAT OF

Revisions:

Call at least two full working days before you begin excavation.
BLUE STAKE, INC. (602) 263-1100
Maricopa County (602) 263-1142

Drawn by: A.G.
Reviewed by: R.M.

RAYMOND S. MUNOZ III
53350
ARIZONA, U.S.A.
Expires 31/31/2024

Job No.
17-414
FP01

Sheet No.
2
of 3

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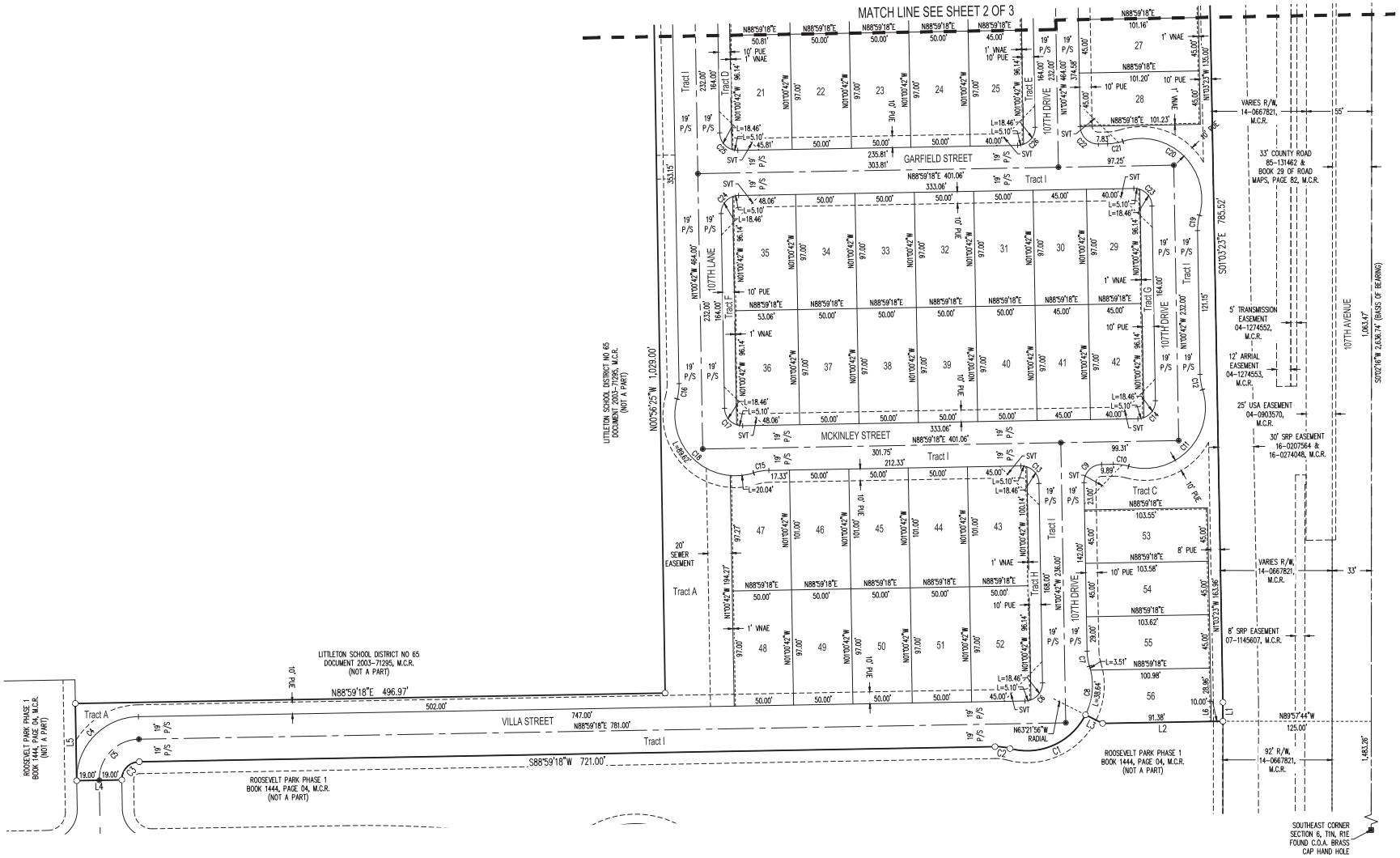

LEGEND

- ■ SECTION CORNER (AS NOTED)
- SUBDIVISION BOUNDARY CORNER
- ○ SET 1/2" REBAR WITH CAP (LS 53160) UNLESS OTHERWISE NOTED
- ⦿ CENTERLINE MONUMENT (TO BE SET BY OTHERS)
- ● FOND MONUMENT AS NOTED

- BOUNDARY LINE
- EXISTING PLAT BOUNDARY LINE
- EXISTING PLAT BOUNDARY LINE
- CENTER LINE
- EXISTING PLAT BOUNDARY LINE
- PUBLIC UTILITY EASEMENT
- VEHICULAR NON ACCESS EASEMENT
- EXISTING PLAT BOUNDARY LINE
- EXISTING PLAT LOT LINE
- SECTION LINE
- RIGHT OF WAY LINE
- PARCEL LINE
- EASEMENT LINE

R/W	RIGHT OF WAY
P/S	PRIVATE STREET
PUE	PUBLIC UTIITY EASEMENT
VNAE	VEHICULAR NON ACCESS EASEMENT
SVT	SIGHT VISIBILITY TRIANGLE (33' X 33')
M.C.D.O.T.	MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION
M.C.H.D.	MARICOPA COUNTY HIGHWAY DEPARTMENT
C.O.A.	CITY OF AVONDALE
M.C.R.	MARICOPA COUNTY RECORD
LS	LAND SURVEYOR

EPS GROUP
1130 N. Alma School Rd. Suite 120
Mesa, AZ 85201
T: 480.503.2250 | F: 480.835.1799
W W W . E P S G R O U P . C O M

Project:

"ROOSEVELT PARK - PHASE 4"

AVONDALE, ARIZONA

FINAL PLAT OF

Revisions:

Call at least two full working days before you begin excavation. BLUE STAKE, INC. (602) 263-1064

Drawn by: A.G.
Reviewed by: R.M.

RAYMOND S. MUNOZ III
53160
Expires 3/31/2024

Job No. 17-414

FP01

Sheet No. 3 of 3

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Item Number: 4.h.

CITY COUNCIL REPORT

SUBJECT: Final Plat of Avondale Auto Mall Phase 2 Lot 11D for AutoNation USA (Re-Plat of Avondale Auto Mall Phase 2 Lot 11A and Lot 12) - Application PL-21-0137

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development & Engineering Services Director (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

This agenda item supports the following Avondale Strategic Outcome Area:

- Creative and Sustainable Community Development - Avondale is committed to creating a sense of place, a community of residents and local businesses unified by pride and common values.

PURPOSE:

City Council will consider a request by Mr. Traver Jones, Kimley-Horn and Associates, on behalf of AutoNation USA, for approval of a Final Plat for Avondale Auto Mall Phase 2 Lot 11D. The proposed Final Plat consolidates two (2) existing parcels located at the northeast corner of 107th Avenue and Roosevelt Street into a single 7.94-acre lot and dedicates right-of-way to accommodate future widening of 107th Avenue. Council will take appropriate action.

BACKGROUND:

The 7.94 net acre subject property consists of two (2) contiguous parcels located at the northeast corner of 107th Avenue and Roosevelt Street (Exhibits A and B). The easternmost parcel was developed in 2004 with an automotive dealership facility (originally a Volvo dealership) consisting of a showroom building, service building, and vehicle inventory storage and display areas; the parcel has been unused since the closure of an Alfa Romeo/Fiat dealership on the site in 2017. The westernmost parcel has not previously been developed but has, on occasion, been used as a site for temporary storage of overflow vehicle inventory for various dealerships in the Avondale Automall; the parcel is not currently in use.

The subject property was annexed in May 1986 and had been zoned Agricultural (AG) until being rezoned to Avondale Automall Planned Area Development (PAD) in December 1999. The 1999 Avondale Automall PAD allowed for 50 acres at the western end of the Automall, inclusive of the subject property, to be developed with a retail shopping center in accordance with the Community Commercial (C-2) zoning district.

A Major Amendment to the Avondale Automall PAD was approved in April 2003. The 2003 Major Amendment eliminated the original requirement that the Automall's westernmost 50 acres develop as a retail shopping center, instead allowing for development of additional automotive dealerships on that land (inclusive of the

subject property). Per the 2003 Major Amendment, dealerships selling both new and used vehicles are currently permitted on the subject property; however, dealerships selling only used vehicles were not permitted.

An additional Major Amendment to the Avondale Automall PAD was approved by the Council on August 23, 2021. The 2021 Major Amendment revised the permitted uses on the subject property to allow a used automotive dealership subject to City Council approval of a Conditional Use Permit (CUP). The 2021 Amendment also established performance criteria for used automotive dealerships on the site, including minimum annual revenue and inventory requirements, to ensure that only high quality used automotive dealerships would operate within the Automall. Concurrently on August 23rd, City Council approved a CUP allowing AutoNation USA, a used automotive dealer, to operate on the subject property, conditioned upon AutoNation USA limiting sales of inventory older than four (4) years from initial registration date, with a purchase price of $15,000.00 or less, to no more than twenty (20) percent of vehicles sold within any calendar year. AutoNation USA, a retailer specializing in the sale of nearly new, pre-owned vehicles, intends to utilize the previously developed, currently vacant automotive dealership facility on the eastern parcel while constructing additional vehicle display and inventory storage area on the currently vacant western parcel.

The Automall is designated by the General Plan 2030 Land Use Map as Business Park. The Business Park land use category is intended to allow for large scale campus development that provides abundant employment opportunities and offers amenities such as: attractive streetscapes with excess landscaped setbacks, appropriate screening from the I-10 freeway, pedestrian connections, efficient circulation, and refuge areas for active and passive activities to keep a healthy lifestyle for all employees. The category accommodates enclosed light manufacturing, corporate commerce, hotel, multi-story offices, research and development industries, solar and renewable energy manufacturers, motor sports related industry manufacturers, and limited warehouse and support services that support these primary employment uses.

The property is also located within the boundaries of the Freeway Corridor Specific Plan (FCSP), which places a priority on the City's appearance from the I-10 by establishing supplemental design requirements for sites that are visible from the freeway.

The existing uses and zoning of surrounding properties include:

NORTH OF DEALER DRIVE: The I-10 Freeway; adjacent to the Automall, I-10 is a 12-lane highway with additional eastbound and westbound frontage roads located within a 600-foot-wide corridor.

EAST: Echo Park Automotive, a used automotive dealership in operation on the property since late 2020. The Echo Park site is zoned Automall Planned Area Development (PAD); a Major PAD Amendment and Conditional Use Permit to allow use of the site as a used automotive dealership subject to performance criteria was approved in August 2020.

SOUTH OF ROOSEVELT STREET: Griffith Planned Area Development (PAD), with existing uses including a used automotive dealership (Wii Auto Sales) and an Enterprise car rental facility. Several undeveloped parcels within the Griffith PAD are also located along the south side of Roosevelt Street.

WEST: Horne Mazda and Rodeo Kia, automotive dealerships that sell both new and used vehicles, zoned Automall PAD. Both dealerships were developed in the mid-2000s. West of 107th Avenue is undeveloped property currently in agricultural production, zoned Avondale Gateway Center PAD. The Avondale Gateway Center PAD allows for development of the 107th Avenue frontage with retail uses.

SUMMARY OF REQUEST:
The applicant is requesting approval of a Final Plat of Avondale Automall Phase 2 Lot 11D (Exhibit E). The proposed Final Plat, a Re-Plat of Lots 11A and Lot 12 of the Avondale Auto Mall Phase 2 subdivision, will consolidate two (2) existing parcels located at the northeast corner of 107th Avenue and Roosevelt Street into a single 7.94-acre lot. The proposed Final Plat also dedicates an additional ten (10) feet of 107th Avenue right-of-way needed to accommodate the future widening of that street by the City.

Upon approval, the subject property will be developed with an AutoNation USA, an automotive dealership specializing in the sale of nearly new, pre-owned vehicles. AutoNation USA intends to utilize the previously developed, currently vacant automotive dealership facility on the eastern parcel while constructing additional vehicle display and inventory storage area on the currently vacant western parcel.

PUBLIC PARTICIPATION:
Public notification is not required for Final Plat applications.

PLANNING COMMISSION ACTION:
The Planning Commission does not review Final Plat applications.

ANALYSIS:

- The proposed Final Plat has been reviewed by the City's contracted Registered Land Surveyor and the document has been confirmed as geometrically accurate and in conformance with Arizona Statutes governing the subdivision of real property.

- The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance, Avondale Subdivision Regulations, and Avondale Automall Planned Area Development (PAD).

- The proposed Final Plat dedicates right-of-way to accommodate a future City project to widen 107th Avenue south of I-10. All other needed rights-of-way and easements were previously dedicated.

DISCUSSION:

1. The proposed Final Plat is in conformance with the City of Avondale Zoning Ordinance and Subdivision Regulations.

2. The proposed Final Plat is in conformance with the Avondale Automall PAD Development Plan, as amended, including conditions of approval.

3. The conditions of approval are reasonable to ensure conformance with the provisions as outlined in the Avondale Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:
If approved, once the dealership is in operation, this will likely increase revenue for the city, but the amount is not forecasted due to the many economic variables that are unknown at this time.

RECOMMENDATION:
No public hearing is required. The City Council will **APPROVE** Application PL-21-0137, a request for approval of a Final Plat for Avondale Auto Mall Phase 2 Lot 11D, subject to the following one (1) condition of approval:

1. The recorded plat shall be in conformance with the Final Plat of Avondale Automall Phase 2 Lot 11D, received electronically on July 20, 2021.

PROPOSED MOTION:
I move that City Council **APPROVE** Application PL-21-0137, a request for approval of a Final Plat for Avondale Auto Mall Phase 2 Lot 11D, subject to one (1) recommended condition of approval as listed in the Staff Report.

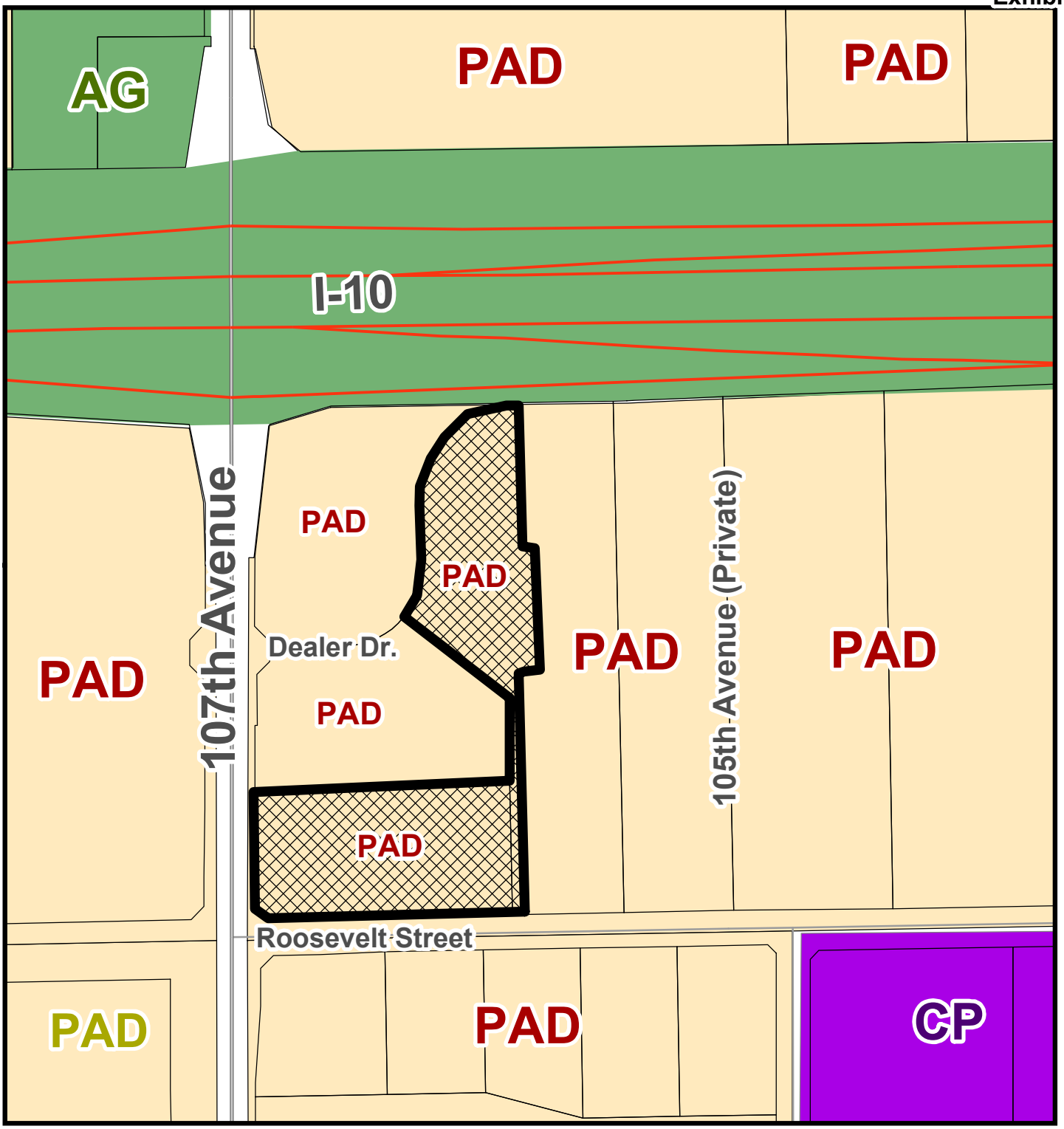
Exhibit A

Aerial Photograph

Avondale

Subject Property

Exhibit B

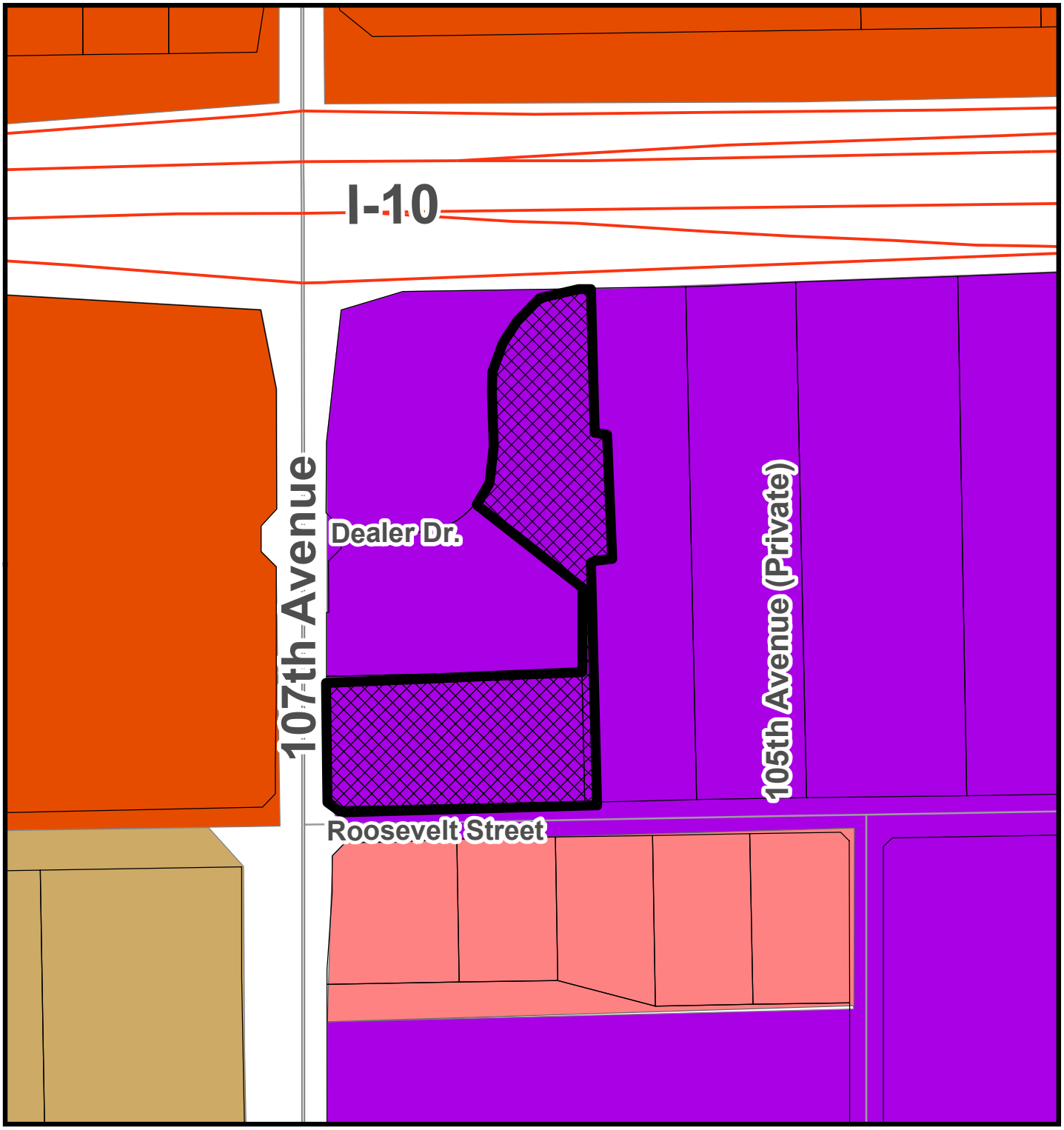


Zoning Vicinity Map

Avondale

Subject Property

Exhibit C



General Plan Land Use

- Local Commercial
- Medium/High Density Residential
- Freeway Commercial
- Business Park

Avondale

Subject Property

Exhibit D

SUMMARY OF RELATED FACTS
APPLICATION PL-21-0137

THE PROPERTY	
PARCEL SIZE	Approximately 9.11 gross acres
LOCATION	Northeast corner of 107th Avenue and Roosevelt Street
EXISTING LAND USE	The subject property consists of two contiguous parcels. The easternmost parcel was developed in 2004 with an automotive dealership facility consisting of a showroom building, a service building, and vehicle inventory storage and display areas. The property has remained vacant since the closure of an Alfa Romeo/Fiat dealership on the site in 2017. The westernmost parcel has not previously been developed but has, on occasion, been used as a site for temporary storage of overflow vehicle inventory for dealerships in the Avondale Automall. The parcel is not currently in use.
EXISTING ZONING	Avondale Automall Planned Area Development (PAD)
ZONING HISTORY	The subject property was annexed in May 1986 and assigned Agricultural (AG) zoning. The property was rezoned to Avondale Automall Planned Area Development (PAD) in December 1999. The 1999 PAD allowed for 50 acres at the western end of the Automall, inclusive of the subject property, to be developed with a retail shopping center in accordance with the Community Commercial (C-2) zoning district. A Major Amendment to the Avondale Automall PAD was approved in April 2003. The approved amendment eliminated the requirement that the Automall's westernmost 50 acres would be developed as a retail shopping center, instead allowing for development of additional automotive dealerships on that land (inclusive of the subject property). Dealerships selling both new and used vehicles are currently permitted; dealerships selling only used vehicles are not permitted. A Major Amendment to the Avondale Automall PAD was scheduled for Council consideration on August 23, 2021. If approved, the request will revise the permitted uses allowed on the subject site, allowing an automotive dealership selling used vehicles only subject to City Council approval of a Conditional Use Permit. The Amendment also establishes performance criteria for used automotive dealerships to ensure that only high quality used automotive dealership will be allowed to operate within the Automall. A Conditional Use Permit for AutoNation USA, a used automotive dealership seeking to operate on the subject site, was also scheduled for Council approval on August 23rd.

SURROUNDING ZONING AND LAND USE	
NORTH OF DEALER	I-10 Freeway. Adjacent to the Automall, I-10 is a 12-lane highway with additional eastbound and westbound frontage roads located within a 600-foot-

DRIVE	wide corridor.
EAST	Echo Park Automotive, a used automotive dealership in operation on the property since late 2020. The Echo Park site is zoned Automall Planned Area Development (PAD); a Major PAD Amendment and Conditional Use Permit to allow use of the site as a used automotive dealership subject to several performance criteria was approved in August 2020.
SOUTH OF ROOSEVELT STREET	Griffith Planned Area Development (PAD), with existing uses including a used automotive dealership (Wii Auto Sales) and an Enterprise car rental facility. Several undeveloped parcels within the Griffith PAD are also located along the south side of Roosevelt Street.
WEST	Horne Mazda and Rodeo Kia, automotive dealerships that sell both new and used vehicles, zoned Automall PAD. Both dealerships were developed in the mid-2000s. West of 107th Avenue is undeveloped property currently in agricultural production, zoned Avondale Gateway Center PAD. The Avondale Gateway Center PAD allows for development of the 107th Avenue frontage with retail uses.

GENERAL PLAN
The Automall is designated by the General Plan 2030 Land Use Map as Business Park. The Business Park land use category is intended to allow for large scale campus development that provides abundant employment opportunities and offers amenities such as: attractive streetscapes with excess landscaped setbacks, appropriate screening from the I-10 freeway, pedestrian connections, efficient circulation, and refuge areas for active and passive activities to keep a healthy lifestyle for all employees. The category accommodates enclosed light manufacturing, corporate commerce, hotel, multi-story offices, research and development industries, solar and renewable energy manufacturers, motor sports related industry manufacturers, and limited warehouse and support services that support these primary employment uses.

PUBLIC SCHOOLS	
SCHOOL DISTRICT(S)	Littleton Elementary School District Tolleson Union High School District
ELEMENTARY SCHOOL	Student's Choice (No defined school). The closest district school is Collier Elementary School, located at the southwest corner of Coldwater Springs Boulevard and 118th Avenue within the Coldwater Springs community.
HIGH SCHOOL	Tolleson Union High School, located at the southwest corner of Van Buren Street and 94th Avenue within the City of Tolleson.

ADJACENT STREETS	
107th Avenue	
Classification	Minor Arterial
Existing half street right-of-way	60 feet
Standard half street right-of-way	55 feet
Existing half street improvements	Two (2) travel lanes, deceleration or right turn lanes as needed, half center turn lane, bike lane, curb, gutter, attached sidewalk, and streetlights.

Standard half street improvements	Two (2) travel lanes, deceleration or right turn lanes as needed, half center turn lane, bike lane, curb, gutter, detached sidewalk, streetlights, and landscaping.
Roosevelt Street	
Classification	Major Collector
Existing half street right-of-way	45 feet
Standard half street right-of-way	40 feet
Existing half street improvements	One (1) travel lane, half center turn lane, curb, gutter, detached sidewalk, streetlights, and landscaping
Standard half street improvements	One (1) travel lane, half center turn lane, bike lane, curb, gutter, detached sidewalk, streetlights, and landscaping
Dealer Drive	
Classification	Private Street
Existing half street right-of-way	None
Standard half street right-of-way	None
Existing half street improvements	One (1) travel lane, curb, gutter, streetlights, and landscaping
Standard half street improvements	One (1) travel lane, curb, gutter, streetlights, and landscaping

UTILITIES
Water service to the property is available via an existing 8-inch water line within Dealer Drive, an existing 12-inch water line within Roosevelt Street, and an existing 16-inch water line in 107th Avenue. Sewer service to the property is available via an existing 15-inch sewer line within Roosevelt Street and an existing 8-inch sewer line within 107th Avenue. SRP provides electrical service in this portion of Avondale.

Exhibit E

Proposed Final Plat

Avondale Auto Mall Phase 2 – Lot 11D

Submitted Electronically July 20, 2021

FINAL PLAT OF
LOT 11D - AVONDALE AUTO MALL PHASE 2

A RE-PLAT OF LOT 11A - AVONDALE AUTO MALL PHASE 2 AS RECORDED IN BOOK 1460 OF MAPS, PAGE 31, RECORDS OF MARICOPA COUNTY, ARIZONA, AND LOT 12B - MINOR LAND DIVISION MAP FOR AVONDALE AUTOMALL LOT 12, AS RECORDED IN BOOK 710 OF MAPS, PAGE 17, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL MEN BY THESE PRESENTS:

THAT PHOENIX AVONDALE ANUSA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER OF THE LAND DESCRIBED HEREIN, HAS SUBDIVIDED UNDER THE NAME OF "LOTS 11D – AVONDALE AUTO MALL PHASE 2", AS SHOWN HEREON, AND HEREBY PUBLISHES THIS PLAT AS AND FOR THE PLAT OF SAID "LOT 11D – AVONDALE AUTO MALL PHASE 2" AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT AND EASEMENTS CONSTITUTING SAME AND THAT EACH LOT SHALL BE KNOWN BY THE DESIGNATION GIVEN ON SAID PLAT.

IN WITNESS HEREOF:

PHOENIX AVONDALE ANUSA, LLC, A DELAWARE LIMITED LIABILITY COMPANY, AS OWNER OF THE LAND DESCRIBED HEREIN, HAS HEREUNTO CAUSED ITS NAME TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED DULY AUTHORIZED OFFICER.

PHOENIX AVONDALE ANUSA, LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____

ITS: _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2021,

BY _____ THE _____ OF PHOENIX AVONDALE ANUSA, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR AND ON BEHALF THEREOF.

_____ _____
NOTARY PUBLIC MY COMMISSION EXPIRES

LIEN HOLDER RATIFICATION AND CONSENT

AS BENEFICIARY, THE UNDERSIGNED HEREBY RATIFIES, APPROVES AND CONFIRMATION IS GIVEN TO SAID DEDICATIONS AS STATED IN THIS PLAT AS TO THE INTEREST OF THE UNDERSIGNED. THE PERSON SIGNING FOR BENEFICIARY WARRANTS AND REPRESENTS THEY HAVE POWER AND AUTHORITY TO DO SO.

BY: _____

NAME: _____

TITLE: _____

BENEFICIARY: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS THE _____ DAY OF _____, 2021,

BY _____ FOR AND ON BEHALF OF _____

_____
NOTARY PUBLIC EXPIRES

SHEET INDEX

SHEET 1 – COVER SHEET
SHEET 2 – FINAL PLAT

REFERENCE DOCUMENTS

1. MINOR LAND DIVISION MAP RECORDED IN BOOK 710 OF MAPS, PAGE 17, M.C.R.
2. FINAL PLAT RECORDED IN BOOK 1460 OF MAPS, PAGE 313, M.C.R.
3. FINAL PLAT RECORDED IN BOOK 646 OF MAPS, PAGE 29, M.C.R.
4. SPECIAL WARRANTY DEED RECORDED IN DOC. 2013-0643080, M.C.R.

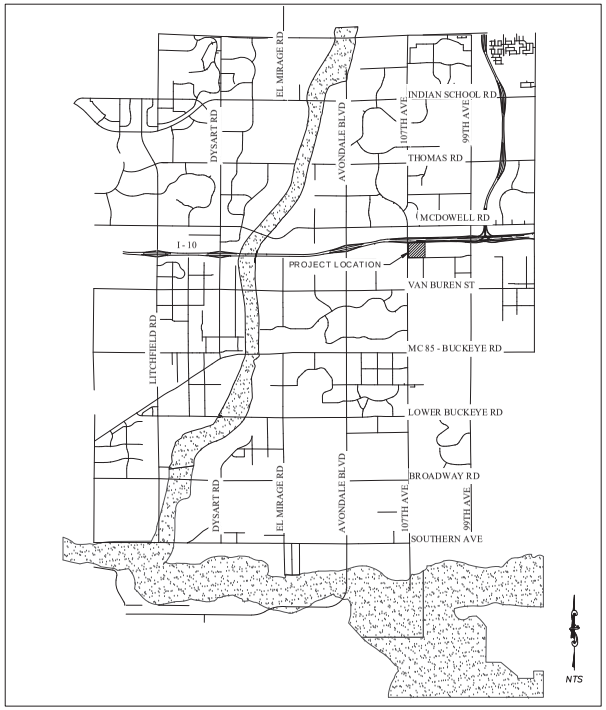
NOTES

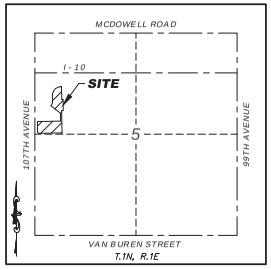
1. ALL LANDSCAPING WITHIN ADJACENT PUBLIC RIGHT OF WAY IS TO BE MAINTAINED BY THE ASSOCIATION, EXCLUDING MEDIANS ON ARTERIAL STREETS.
2. ALL UTILITY AND PUBLIC SERVICE EASEMENTS, INCLUDING ANY LIMITATIONS OF EASEMENTS; AND CONSTRUCTION WITHIN SUCH EASEMENTS SHALL BE LIMITED TO UTILITIES, LANDSCAPING, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCES.
3. ALL UTILITIES SHALL BE INSTALLED UNDERGROUND.
4. ALL ELECTRIC AND COMMUNICATION LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
5. NO ALTERATIONS SHALL BE MADE TO THE STORM WATER RETENTION AREAS THAT ARE A PART OF THESE PREMISES WITHOUT WRITTEN APPROVAL BY THE CITY OF AVONDALE.
6. NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS SUBDIVISION WITHOUT WRITTEN AUTHORIZATION BY THE CITY OF AVONDALE.
7. ALL STORM DRAIN PIPES FROM CATCH BASINS TO RETENTION BASINS SHALL BE MAINTAINED BY THE OWNER.
8. ALL RETENTION BASINS MUST DRAIN ANY STORM EVENT UP TO AND INCLUDING 100 YEAR, 2 HOUR STORM WITHIN 36 HOURS. OWNER MUST TAKE CORRECTIVE ACTIONS TO BRING THE BASIN INTO COMPLIANCE.

100-YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREAS OF THE CITY OF AVONDALE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-576 ARIZONA REVISED STATUTES.

AREA MAP





VICINITY MAP

N.T.S.

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 5, AS SHOWN IN BOOK 1460, PAGE 31, MARICOPA COUNTY RECORDS.
SAID LINE BEARS NORTH 00 DEGREES 15 MINUTES 35 SECONDS WEST.

AREA

LOT 11D CONTAINS 345,850 SQUARE FEET OR 7.940 ACRES, MORE OR LESS.

SURVEYOR

SURVEY INNOVATION GROUP, INC
CONTACT: ERIC SOSTROM
22425 N. 16TH STREET, SUITE 1
PHOENIX, ARIZONA 85024
PHONE: (480) 922-0780
EMAIL: ESOSTROM@RICKENGINEERING.COM

ENGINEER

KIMLEY-HORN AND ASSOCIATES
CONTACT: TRAVER JONES, PE
7740 N 16TH STREET, SUITE 300
PHOENIX, ARIZONA 85020
PHONE: (602) 216-1234
EMAIL: TRAVER.JONES@KIMLEY-HORN.COM

OWNER

PHOENIX AVONDALE ANUSA, LLC
CONTACT: CHARLES SABADASH III
200 SW 1ST AVENUE, 14TH FLOOR
FORT LAUDERDALE, FLORIDA 33301
PHONE: (954) 769-2303

DEVELOPER

AUTONATION, INC
CONTACT: FRED MOSS
200 SW 1ST AVENUE, 14TH FLOOR
FORT LAUDERDALE, FLORIDA 33301
PHONE: (954) 769-2303
EMAIL: MOSSF@AUTONATION.COM

APPROVALS AND ACCEPTANCE OF DEDICATION

APPROVED BY THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA ON THIS ____ DAY OF _____, 2021

_____ _____
MAYOR DATE

_____ _____
ATTEST: CITY CLERK DATE

_____ _____
CITY ENGINEER DATE

SURVEYOR'S CERTIFICATION

THIS IS TO CERTIFY THAT THIS SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF JULY, 2021. THAT THE PLAT IS CORRECT AND ACCURATE. THAT THE MONUMENTS SHOWN HEREON HAVE BEEN LOCATED OR ESTABLISHED AS DESCRIBED AND THE LOT CORNERS PERMANENTLY SET.

ERIC SOSTROM, RLS#41894
22425 N. 16TH STREET, SUITE 1
PHOENIX, ARIZONA 85024
PHONE: 480-922-0780
ESOSTROM@RICKENGINEERING.COM

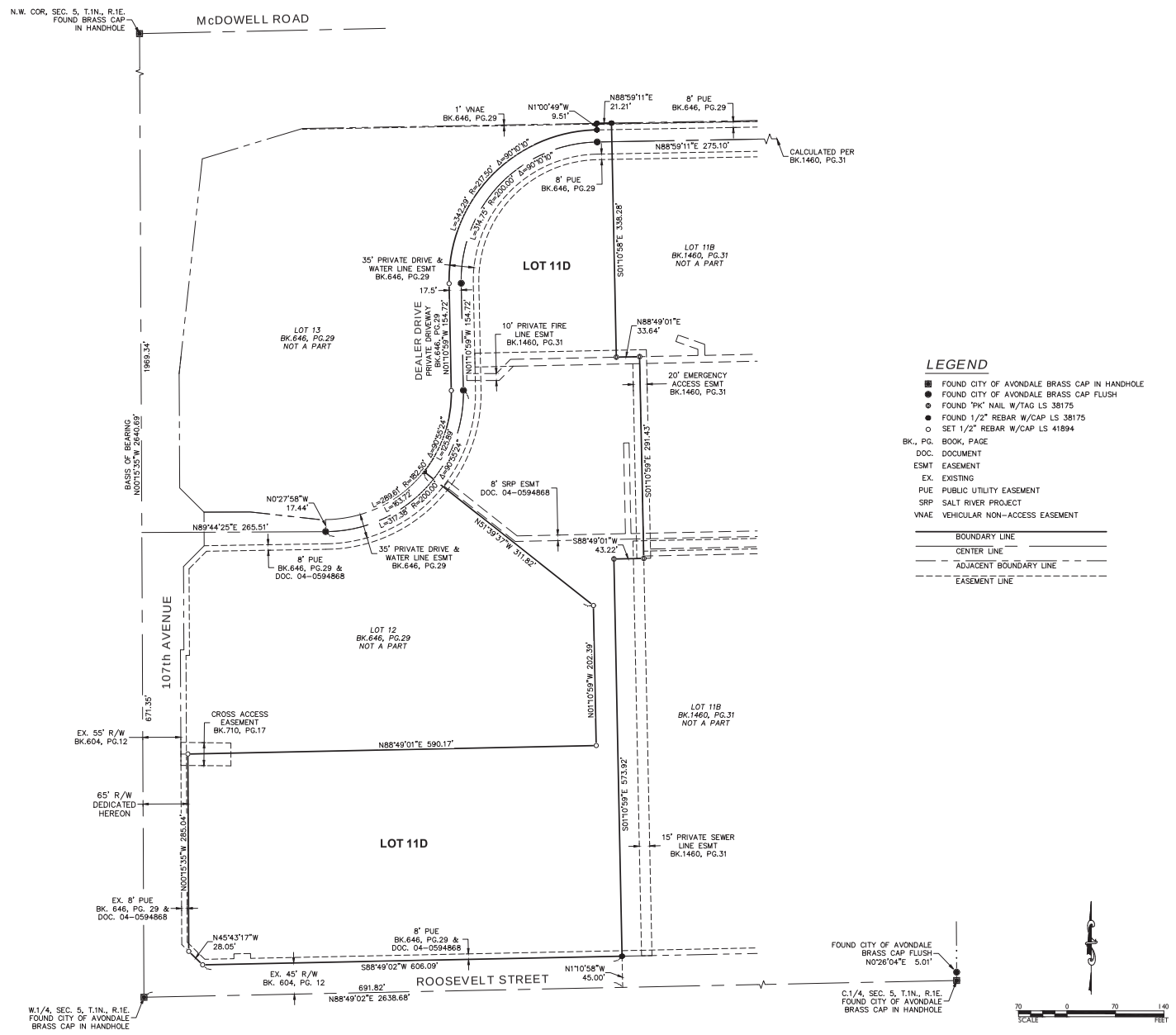
REGISTERED LAND SURVEYOR 41894 ERIC L. SOSTROM 7/20/21 Date Signed ARIZONA U.S.A.

SIG
22425 N. 16th ST., SUITE 1
PHOENIX, ARIZONA 85024
PHONE (480) 922-0780
FAX (480) 922-0781
WWW.SIGSURVEYAZ.COM
A RICK ENGINEERING COMPANY
Land Surveying Services

FINAL PLAT OF
LOT 11D - AVONDALE AUTO MALL PHASE 2
AVONDALE, ARIZONA

REVISIONS:
1
2
3

DRAWING NAME: P5304 11A+12B
JOB NO. P5304
DRAWN: TLH
CHECKED: ELS
DATE: 7/20/2021
SCALE: N.T.S.
SHEET: 1 OF 2



LEGEND

- FOUND CITY OF AVONDALE BRASS CAP IN HANDHOLE
- FOUND CITY OF AVONDALE BRASS CAP FLUSH
- FOUND "PK" NAIL W/TAG LS 38175
- FOUND 1/2" REBAR W/CAP LS 38175
- SET 1/2" REBAR W/CAP LS 41894

BK., PG.	BOOK, PAGE
DOC.	DOCUMENT
ESMT	EASEMENT
EX.	EXISTING
PUE	PUBLIC UTILITY EASEMENT
SRP	SALT RIVER PROJECT
VNAE	VEHICULAR NON-ACCESS EASEMENT

BOUNDARY LINE
CENTER LINE
ADJACENT BOUNDARY LINE
EASEMENT LINE

SIG
22425 N. 16th ST., SUITE 1
PHOENIX, ARIZONA 85024
PHONE (480) 922-0780
FAX (480) 922-0781
WWW.SIGSURVEYAZ.COM
A BLACK ENGINEERING COMPANY
Land Surveying Services

FINAL PLAT OF LOT 11D - AVONDALE AUTO MALL PHASE 2 AVONDALE, ARIZONA

REGISTERED LAND SURVEYOR
41894
ERIC L. SOSTROM
7/20/21
ARIZONA U.S.A.

REVISIONS:
1
2
3

DRAWING NAME: P5304 11A+12B
JOB NO. P5304
DRAWN: TLH
CHECKED: ELS
DATE: 7/20/2021
SCALE: 1" = 70'
SHEET: 2 OF 2

Item Number: 5.a.

CITY COUNCIL REPORT

SUBJECT: Public Hearing and Ordinance 2044-0921 - Van Buren 101 - Rezone Major Amendment to the Interstate Commerce Center PAD - PL-21-0080

MEETING DATE: 9/7/2021

TO: Mayor and Council

FROM: Kevin Murphy, Development and Engineering Services Director, (623) 333-4011

THROUGH: Lindsey Duncan, Deputy City Manager, (623) 333-1012

REVIEWED: Charles A. Montoya, City Manager, (623) 333-1016

STRATEGIC PLAN:

Strategic Outcome Area: Creative and Sustainable Community Development

Stategy: Maintain and expand quality infrastructure and improve connectivity to City amenities.

PURPOSE:

City Council will hold a public hearing and consider a request to adopt Ordinance 2044-0921, approving a rezone request by Adam Baugh, Withey Morris PLC, for a Major Amendment to the Interstate Commerce Center Planned Area Development (PAD) to revise the PAD's permitted uses to allow warehouse and distribution uses as a primary use on Lot 11 of the Interstate Commerce Center, which is 5.50 net acres of vacant land located at the northeast corner of 101st Avenue and Van Buren Street. Permitted uses on other parcels within the Interstate Commerce Center PAD are not modified by the proposed Amendment and authorize the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents. The Council will take appropriate action.

BACKGROUND:

The 5.50 net acre subject property (Exhibits A and B) is located at the northeast corner of 101st Avenue and Van Buren Street. The site, which was annexed in April 1986, is square-shaped, relatively flat, vacant, and features no unusual physical characteristics.

The site was zoned Interstate Commerce Center PAD as part of an approximately 55-acre rezoning in March 1996. The PAD allows a narrowed list of permitted land uses that is a combination of C-2 (Community Commercial), CP (Commerce Park), and A-1 (General Industrial) uses. On October 5, 2020, the City Council approved a PAD amendment to allow warehouse and distribution uses as a primary use to be permitted on Lots 5 and 6 on 8.58 gross acres of land located at the northwest corner of 99th Avenue and Pierce Street.

The property is presently designated by the General Plan 2030 Land Use Map as Business Park (Exhibit C). The Business Park designation allows for large scale campus development that provides abundant employment opportunities and accommodates enclosed light manufacturing, corporate commerce, hotel multi-story offices, and limited warehouse and support services.

The existing uses and zoning of surrounding properties include:

NORTH: Cummins Sales and Service, a diesel engine sales and service facility, located within the Interstate Commerce Center Planned Area Development (PAD).

EAST: A 3.34-acre property developed as a flex industrial building, located within the Interstate Commerce Center PAD.

SOUTH OF VAN BUREN STREET: Properties located within the City of Tolleson, including an enclosed industrial development west of 101st Avenue and vacant land zoned for commercial development east of 101st Avenue.

WEST OF 101ST AVENUE: A vacant parcel zoned Avondale Commerce Center PAD, allowing for enclosed light industrial uses on the subject sites. Plans for a light industrial development featuring two (2) buildings totaling 633,321 square feet have recently been approved for construction.

SUMMARY OF REQUEST:
The proposed Major Amendment (Exhibit E) will amend the PAD to allow warehouse and distribution uses as a primary use to be permitted on Lot 11, Interstate Commerce Center PAD, on 5.50 net acres of land located at the northeast corner of 101st Avenue and Van Buren Street, (Assessor Parcel: 102-54-053A). Permitted uses on other parcels within the Interstate Commerce Center PAD are not modified by the proposed Amendment.

Besides amending the PAD to allow warehouse uses, the amendment will establish development standards and design criteria specific to the project. The development of the site, as it proceeds through site planning and permit approvals, will be required to generally conform to these specifications and exhibits.

The proposed amended PAD includes development standards that are based on the City's Commercial Park (CP) zoning; however, there is a request for deviations on the front yard, rear yard, street side yard, and interior side yard setbacks as follows:

- Front yard setback: reduced from 25 feet to fifteen (15) feet

- Rear yard and interior side yard setbacks: reduced from fifteen (15) feet to five (5) feet average; an average yard setback may be utilized to encourage variation along a single continuous perimeter and to accommodate minor encroachments

- Street side yard setback: reduced from 25 feet to ten (10) feet

The purpose of these requests is to optimize the site layout given the small lot size for this type of development as well as to accommodate trailer storage at the rear of the property and to improve vehicular circulation for the development.

The Site Plan (Exhibit F) shows the proposed building is oriented east to west to allow the truck court area to be screened from Van Buren Street. Additional screening along 101st Avenue will be provided by screen walls and landscaping. Other than trucks maneuvering into loading docks, all activities on the site will be inside enclosed buildings.

Various techniques break up long wall planes and ensure the City's design expectations in the Freeway Corridor are met for the building elevations (Exhibit G). A contemporary aesthetic featuring a neutral color palette is proposed. Building entrance areas are emphasized through the provision of two-story glass elements coupled with projecting metal canopies to provide shade and shadow. Variation in parapet height, material and texture changes, color changes, reveals, horizontal and vertical elements are provided to break up long walls and enhance the appearance of the development. The building design is intended to replicate an office building.

Vehicular access to the Van Buren 101 site is provided via a driveway at the western edge of the property on 101st Avenue. An additional access drive on 101st Avenue is also provided along the eastern side of the parcel.

Landscaping requirements for the project will be required to adhere to CP zoning district requirements as specified in Zoning Ordinance Section 12, Landscaping, Walls, and Fences. That section contains standards for minimum landscape area on-site, landscaped areas in parking lots, tree quantity and tree size requirements, and the like.

A Site Plan and Design Review application for the project will be reviewed administratively, following any approval of this Major PAD Amendment by City Council, to ensure conformance with the PAD Narrative and exhibits thereto.

PUBLIC PARTICIPATION:
A Neighborhood Meeting to discuss the proposal with neighboring property owners and other interested parties was held at 6:00 P.M. on Thursday, June 24, 2021. Due to the ongoing Covid-19 pandemic, the meeting was held virtually via Zoom. All notices of the meeting, including mailings to owners within 1,000 feet of the site, public hearing notice sign on the property, and display ads in the Southwest Valley Arizona Republic, were completed in at least fifteen (15) days prior to the meeting as required. In addition to City Staff and the applicant's team, two (2) people attended the virtual meeting (Exhibit H). Discussion was primarily related to the following topics:

- ***What are the number of users that could be accommodated in the building?*** The applicant advised that the proposed building provides for flexible suite options, it could be entirely leased by one (1) tenant or several smaller tenants.

- ***What type of use(s) will be in the building?*** The applicant responded that the type of users may include anything from fulfillment to company headquarters, as well as warehousing and distribution.

- ***What are the adjacent uses?*** The applicant provided a summary of the adjacent uses, which includes a truck service business to the north.

Two (2) comments pertaining to the proposal were posted on the City's aVOICE/Polco digital forum, as follows:

- "Having so many logistics (sic) warehouses does not enhance the city."
- "Do it. Rezone. Develop it."

All required notifications for Planning Commission and City Council public hearings have been completed. All property owners within 1,000 feet of the subject site were notified of the time, date, and location of the Planning Commission and City Council meetings via postcards, the meetings were advertised in the Southwest Valley Arizona Republic, and a public hearing notice sign identifying meeting dates, times, and locations was installed on the property. All notifications included Zoom meeting information and links as applicable. No additional public comments have been received to date.

PLANNING COMMISSION ACTION:
On July 21, 2021, Planning Commission conducted a public hearing and voted 6-0 to recommend approval of the proposed rezone. The Commission had no comments or concerns.

ANALYSIS:
Conformance with the General Plan and Freeway Corridor Specific Plan
The Business Park classification encourages uses that provide employment opportunities in a large scale campus setting. The proposed warehouse and distribution use allows for commerce park and related employment generating uses as is required in the Business Park designation.

The proposed site is designed such that building elevations featuring truck bays, where the most intense

activity will be occurring, are oriented towards the interior of the site so as not to be visible from surrounding properties or streets.

The building has an architecturally enhanced design that resembles a Class-A office rather than the typical light-industrial development.

Additionally, the proposed PAD furthers several goals of the General Plan, and advances multiple goals of the Freeway Corridor Specific Plan, most notably:

General Plan 2020 Economic Vitality Goal #1: "Grow and diversify Avondale's economy and employment base through business retention, expansion, and development." Development of warehouse and distribution on the property as proposed in the PAD will fill a real estate need for additional light-industrial space within the City and allow for continued attraction of new businesses to Avondale."

The Freeway Corridor Specific Plan (FCSP) Objective #1: "Prioritize the City's appearance from the I-10 and Loop 101 freeways, limiting heavy industrial uses and establishing strict design requirements where necessary." The proposed building includes strong architecture, site design, and landscaping standards to ensure that the site aesthetically enhances the Freeway Corridor area as a whole. The portions of the building that will feature roll-up doors intended for loading and unloading of trucks will be obscured by the orientation of the buildings themselves along with a combination of landscaping and walls."

Development Standards
The development standards contained within the proposed Interstate Commerce Center PAD are comparable to Zoning Ordinance requirements for development in the CP zoning district. The applicant is requesting deviations from the zoning requirements for front yard, interior side yard, street side yard, and rear yard setbacks to optimize the trailer storage and circulation within the rear trucking area, as described above.

The FCSP identifies a maximum height of four (4) stories for development on this property. The PAD proposes maximum building heights of 42 feet, significantly lower than the FCSP maximum, with architectural elements up to 47 feet.

Project Design
In addition to establishing standards for design, materials, and colors, the Van Buren 101 PAD contains building elevations for the proposed development. The renderings depict contemporary style buildings which incorporates a neutral color palette.

The proposed building incorporates multiple architectural techniques to break up long wall planes and make the highly visible buildings aesthetically appealing. Variation in parapet height, color changes, and reveals, are provided to break up long walls and enhance the appearance of the development. A significant amount of storefront glass at each corner entry highlights the material variation, with some of it reaching an elevation to allow possible two-story elevations. Clerestory windows are also provided for additional variation and to provide additional internal lighting to the building. The result of this combination of materials and techniques is a building that will appear more akin to a Class-A office complex than a typical light industrial development.

Landscaping on the site will adhere to Zoning Ordinance landscaping requirements. Adherence to these requirements will ensure that significant landscape areas, tree sizes, plant quantities, are provided throughout the site.

Streets, Utilities, and Other Infrastructure
Vehicular access to the site is provided via Van Buren Street and 101st Avenue.

The City has adequate water and sewer capacity to serve the proposed development.

The developer will be responsible for construction of all line extensions required to service the site.

DISCUSSION:
The proposed Major PAD Amendment meets the following findings:

- The proposed Amendment is in conformance with the General Plan Land Use Map designation of Business Park.

- The proposed Amendment is in conformance with the Freeway Corridor Specific Plan.

- The proposed Amendment is in conformance with the Commercial and Industrial Design Manual.

- The Interstate Commerce Center (Van Buren 101) PAD will result in compatible land use relationships.

- Adequate public infrastructure to support the proposed development either presently exists or will be constructed by the developer.

- The recommended conditions of approval are reasonable to ensure conformance with the provisions of the Zoning Ordinance and all other applicable City codes, ordinances, and policies.

BUDGET IMPACT:
No budget impacts.

RECOMMENDATION:
City Council will conduct a public hearing and adopt the Ordinance approving PL-21-0080 Van Buren 101, a request for a Major Amendment to the Interstate Commerce Center Planned Area Development (PAD) to allow warehouse and distribution uses as a primary use on Lot 11, subject to the following six (6) conditions of approval:

- Development shall conform to the Van Buren 101 PAD Narrative date stamped May 27, 2021, Site Plan date stamped June 1, 2021, and the Building Elevations date stamped April 22, 2021, except as modified by these conditions.

- The developer shall submit an application for approval of a Comprehensive Sign Package for all building mounted and freestanding monument signage, prior to issuance of any sign permits for the planned development.

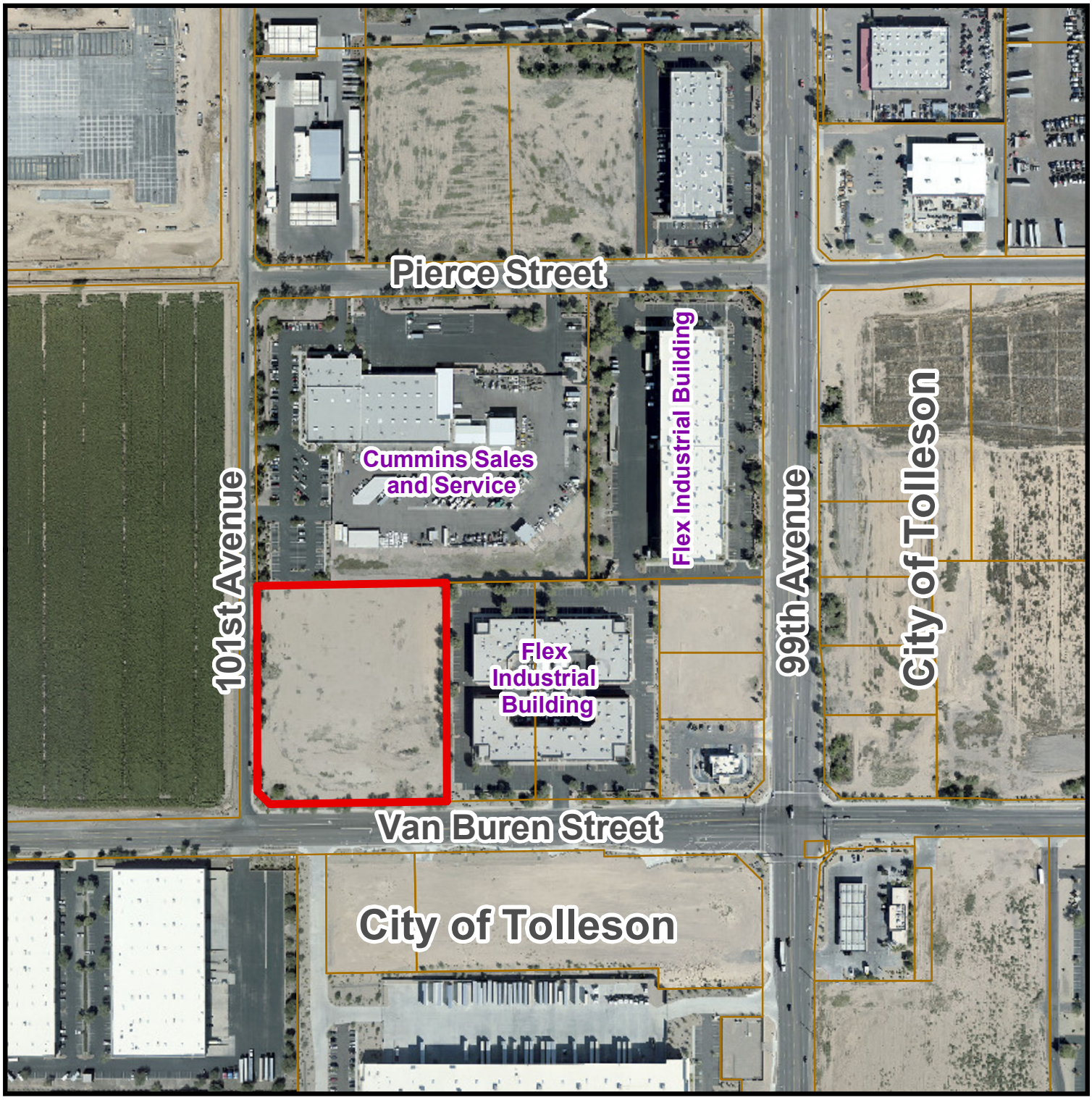
- The planned development is subject to the requirements of Zoning Ordinance Section 11, Required Public Art for New Planned Area Developments (PAD), Commercial, Office, Employment, and Municipal Construction.

- Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for any portion of the project.

- All development shall be completed in accordance with the City of Avondale General Engineering Requirements Manual and the City of Avondale Supplement to MAG Uniform Specifications and Details unless a standards deviation has been approved.

- The developer shall be responsible for fiber conduit installation within the City's public right-of-way in accordance with the City's Transportation Plan and development codes.

Exhibit A



Aerial Photograph

Avondale

Project Location

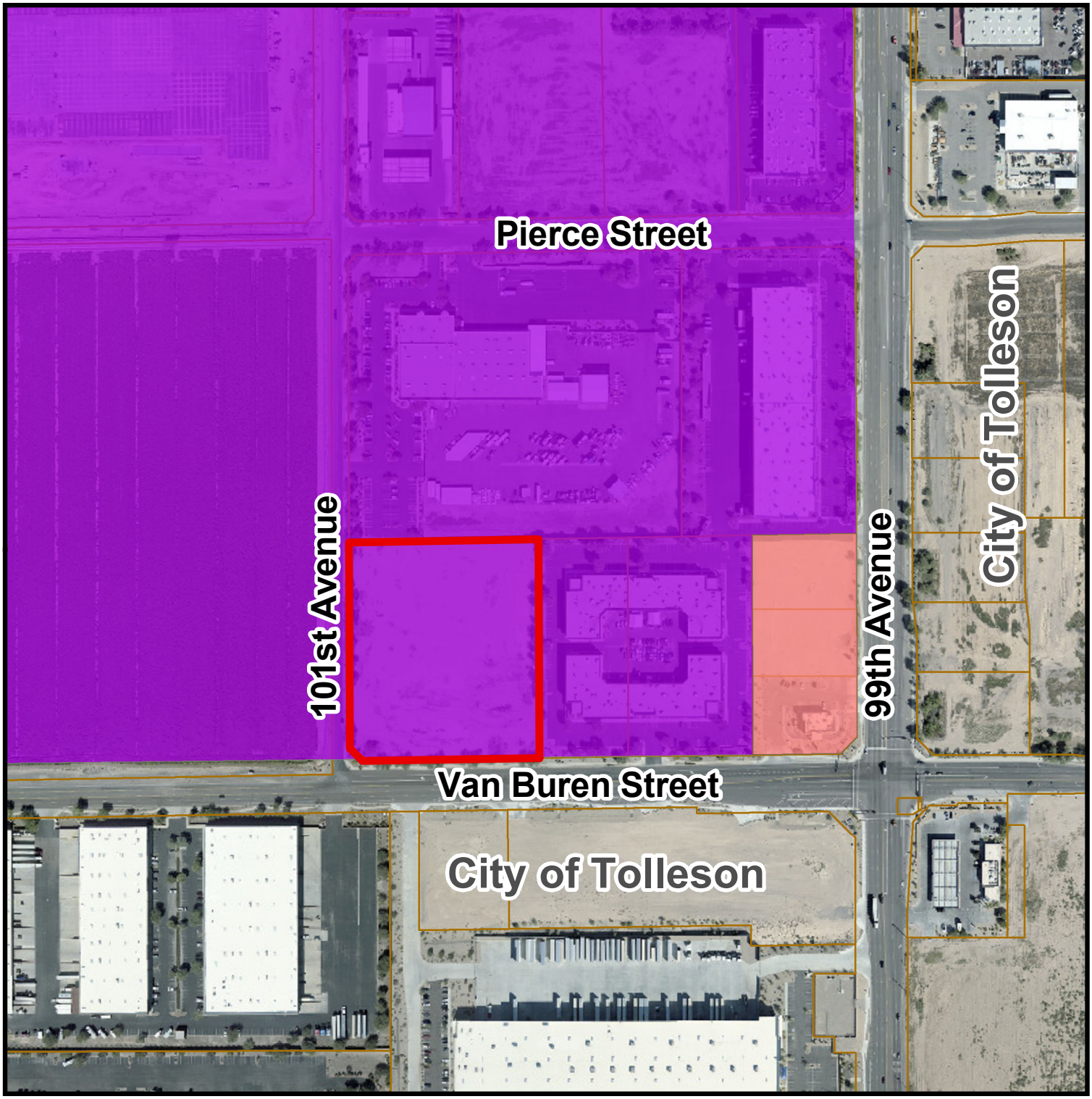
Exhibit B

Zoning Vicinity Map

Avondale

Project Location

Exhibit C



General Plan Land Use Map

Avondale

Project Location

Local Commercial

Business Park

Exhibit D

Summary of Related Facts

Exhibit D

SUMMARY OF RELATED FACTS

APPLICATION PL-21-0080

THE PROPERTY	
SIZE	6.73 gross acres; 5.50 net acres
LOCATION	Northeast corner of 101st Avenue and Van Buren Street.
PHYSICAL CHARACTERISTICS	The vacant site is square-shaped, relatively flat, and features no unusual physical characteristics.
EXISTING LAND USE	The parcel is currently vacant with no use.
EXISTING ZONING	The parcel is zoned Interstate Commerce Center Planned Area Development (PAD). The approved PAD allows for commerce park and light industrial uses on the subject site.
ZONING HISTORY	The site was annexed in April 1986 and rezoned from Agricultural (AG) to Interstate Commerce Center Planned Area Development (PAD) in March 1996.

SURROUNDING ZONING AND LAND USE	
NORTH	Cummins Sales and Service, a diesel engine sales and service facility, located within the Interstate Commerce Center Planned Area Development (PAD).
EAST	A 3.34-acre property developed as a flex industrial building, located within the Interstate Commerce Center PAD.
SOUTH OF VAN BUREN STREET	Properties located within the City of Tolleson, including an enclosed industrial development west of 101st Avenue and vacant land zoned for commercial development east of 101st Avenue
WEST OF 101ST AVENUE	A vacant parcel zoned Avondale Commerce Park PAD, allowing for enclosed light industrial uses on the subject site. Plans for a light industrial development featuring two (2) buildings totaling 633,321 square feet have recently been approved for construction.

GENERAL PLAN
The property is presently designated by the General Plan 2030 Land Use Map as Business Park. The Business Park designation accommodates development of large-scale employment campuses consisting of enclosed light manufacturing, corporate commerce, office and limited warehouse and support services designed with attractive streetscapes, appropriate screening, and pedestrian considerations. The Interstate Commerce PAD, which allows for commerce park and light industrial uses on the site, conforms to the Business Park designation.

PUBLIC SCHOOLS	
SCHOOL DISTRICT(S)	Tolleson Union High School District, Tolleson Elementary School District
ELEMENTARY SCHOOL	Porfirio H. Gonzales Elementary School, located east of the northeast corner of 95th Avenue and Garfield Street in the City of Tolleson
HIGH SCHOOL	Tolleson Union High School, located at the southwest corner of Van Buren Street and 94th Avenue in the City of Tolleson

ADJACENT STREETS	
101st Avenue	
Classification	Industrial Collector
Existing half-street right-of-way	40 feet
Standard half-street right-of-way	40 feet
Existing half-street improvements	One (1) through lane, detached sidewalk, curb, gutter, landscaping, and streetlights
Standard half-street improvements	One (1) through lane, detached sidewalk, curb, gutter, landscaping, and streetlights
Van Buren Street	
Classification	Minor Arterial
Existing half-street right-of-way	65 feet
Standard half-street right-of-way	65 feet
Existing half-street improvements	One (1) through lane, half center turn lane, temporary right-turn lane (will convert to an additional westbound lane when property to east is developed), bike lane, detached sidewalk, curb, gutter, landscaping, and streetlights
Standard half-street improvements	Two (2) through lanes, half center turn lane, bike lane, detached sidewalk, curb, gutter, landscaping, and streetlights

UTILITIES
The site will be provided water service from an existing 12-inch water line in Van Buren Street. Sewer service to the site will be accommodated by an existing 12-inch main line in Van Buren Street. Salt River Project (SRP) provides electrical service in this portion of the City.

Exhibit E

Proposed Van Buren 101 Planned Area Development Project Narrative

Received Electronically May 27, 2021

Van Buren 101

PAD Amendment

Submitted by:

Adam Baugh
2525 E. Arizona Biltmore Circle, A-212
Phoenix, Arizona 85016
602-230-0600,
adam@witheymorris.com

On behalf of:

WDP Partners, LLC

Brama Holdings, LLC

Case No. PL-21-0080

3rd Submittal: May 27, 2021
2nd Submittal: April 27, 2021
Initial Submittal: March 11, 2021

Van Buren 101
PAD Amendment Project Narrative

A. Request

On behalf of WPD Partners and Brama Holdings, this application is a request to amend the Interstate Commerce Center Planned Area Development ("PAD") (Case Nos. Z-96-315-A and Z-04-08) to allow warehouse and distribution uses on Lot 11 of the Interstate Commerce Center PAD, and to establish development standards and design criteria specific to the project.

WDP Partners, in partnership with Brama Holdings, desires to develop a high-quality, institutional grade, light industrial building (the "Project") that will permit warehousing/distribution uses. When the Interstate Commerce Center PAD ordinance was adopted in 1996, one of the stipulations prohibited "bulk warehousing and distribution" (See Ordinance No. 1065-04, Stipulation 5). That said, it is appropriate to revisit this stipulation given the age of the Interstate Commerce Park PAD, the existing long-term vacancy of the property, and the industrial land use patterns surrounding the site.

B. Project Location

The subject property is located at the northeast corner of 101st Avenue & Van Buren Street in Avondale (the "Property"). The Property is approximately 5.5 net acres in size and the use of the Property remains vacant land today (**See *Exhibit A*, Aerial Map**). The area surrounding the Property consists of an automotive repair facility to the north; a flex industrial building to the east; vacant land and industrial flex buildings to the south; and vacant agricultural land to the west.

C. General Plan and Zoning

The General Plan Land Use Map designates the Property as "Business Park" within the "Freeway Corridor/99th Avenue/City Center Growth Area." The Property is also subject to the Freeway Corridor Specific Plan. The Property is part of the Interstate Commerce Center Planned Area Development and the existing zoning for the Property is PAD (Ordinance Section 601). **See *Exhibit B,* General Plan and Zoning Maps.**

D. Permitted Uses

All uses permitted in the Interstate Commerce Center PAD, as amended, except that warehouse and distribution as a primary use shall be permitted on Lot 11 of the Interstate Commerce Center subdivision.

E. Development Proposal

WDP Partners, in partnership with Brama Holdings, intends to develop an attractive, high quality, institutional-grade industrial building that will provide employment opportunities within the City of Avondale. Additionally, they seek to activate a long-time vacant parcel with a land use that will be complementary to the area and is consistent with the land use mix in the area.

The proposed Project consists of a +/- 95,580 square foot building, which will be approximately forty-seven (47) feet in height to the top of parapet in some locations to promote façade undulation; however, the average parapet height is forty-two feet (42') in height. The conceptual site plan identifies 92 parking spaces provided to the south (front) and west of the proposed building. Four (4) accessible parking spaces are provided. Parking is screened on Van Buren Street with a mix of hedge shrub landscaping and a CMU screen wall. Shrubs and landscaping are provided along 101st Avenue. In addition to the typical parking spaces provided, thirteen (13) trailer spaces are also proposed at the rear of the Property.

Vehicular access to the Property is proposed via Van Buren Street and 101st Avenue. Pedestrian access to the Property is also proposed via a five (5) foot wide sidewalk which connects from Van Buren Street. Finally, two (2) separate enclosed refuse collection areas are provided at the rear of the Property. ***See Exhibit C, Conceptual Site Plan.***

F. Development Standards

Development of the Property shall conform to the standards set forth in the Commerce Park (CP) District of the Avondale Zoning Ordinance and the standards set forth in this PAD Amendment. If there is a conflict between the Zoning Ordinance and this PAD, the less restrictive standard shall apply.

	Commerce Park	**PAD Amendment**
Max. Height	35'	**47'**
Max. Building Coverage	50%	50%
Min. Yard Setbacks	Front: 25' Side: 15' Rear: 15' Street Side: 25'	Front: **15'** Side: **5' Average*** Rear: **5' Average*** Street Side: **10'**

*An average yard setback may be utilized to encourage variation along a single continuous perimeter and to accommodate minor encroachments.

Minor deviations for the front yard setback, rear yard setback, side yard setback and street side setback are requested (see table above). The purpose of these deviations is to optimize the site layout given the comparatively small size of the Property for this type of development, as well as to accommodate trailer storage at the rear of the Project and improve vehicular circulation for the Project. The rear trucking area is a key component to the development, which will allow the Project to compete

with other similar industrial developments in the west valley area. Without sufficient trailer storage in the rear, the Project will be at a distinct disadvantage with competitive projects.

The applicant also requests a deviation to increase building height to 47' to the top of parapet, which will accommodate architectural enhancements while also providing sufficient clear heights for storage and racking systems required by today's modern warehouse users.

Lighting

Parking lot and common drives will be lit via wall pack lighting from the building. Pole lighting will exist at the trailer storage area. No light shall trespass across property lines except as allowed by the Avondale Zoning Ordinance.

Decorative and custom color architectural lighting will be provided at each building entrance. General site light poles, building area lighting, and emergency ingress/egress lighting will be similar to adjacent developments.

Screening

The proposed building is oriented so that the trucking area, utilities and trash enclosures are located on the north side of the building, thereby screening them from view from Van Buren Street. A six-foot-tall CMU screen wall will be provided to the west of the truck well, which will screen the loading area from 101st Avenue. Backflow preventers will be screened by landscape. Mechanical equipment will be located on the roof and will be screened by a parapet wall.

Walls & Fences

A 3-foot decorative parking screen wall will be provided along Van Buren Street and will be built within the required landscape setback. The horizontal design of the wall allows it to integrate with the landscaping and it will have an undulating and repetitive design that enhances the structured landscape and streetscape appearance. The design, materials and colors for all walls visible from public view will be uniform in appearance. No parking screen wall is proposed along 101st Avenue given that no parking spaces front immediately onto the right-of-way. Additionally, there are area constraints that would preclude a screen wall along 101st Avenue, including a required public utility easement; however, quality landscaping will be provided to enhance the streetscape and appearance of the Project from 101st Avenue.

Parking Standards

On-site parking shall be provided in accordance with the Avondale Zoning Code. The parking required is 73 spaces and 92 are provided. The size of all parking spaces, driveways, islands in parking areas and other improvements in the parking areas must conform to the minimum established requirements of the City of Avondale Zoning

Ordinance, unless otherwise modified herein. Ratios below shall be minimums, with additional parking allowed if reasonably required by market conditions or specific user requirements:

PARKING REQUIRED: 95,580 x 90%= 86,022 SF

Future Offices = 9,558 SF/250 = 39 Spaces
Warehouse = 76,464 SF
10,000/500 = 20 Spaces
66, 464/5,000 = 14 Spaces

Total Required = 73 spaces
Total Provided = 92 spaces

As part of the required parking for the Project, one (1) electric vehicle (EV) charging station will be provided and two (2) EV-Capable spaces will be provided, as shown on the conceptual site plan, which furthers the City's vision for EV parking within the City of Avondale.

Covered parking is not defined on the concept plan at this time because users are not yet identified. This is a speculative building and it is expected the entirety of the building will be industrial uses. However, any required office covered parking will be determined and provided per city code once an end-user is identified and tenant improvement plans are submitted. Parking spaces will be designed as 18' x 10' stalls, with 2' of permitted overhang in accordance with the Zoning Code.

G. Architectural Design

The architectural character of the building will have a high-tech contemporary appearance. This will be established using clean edges and forms, and architectural accents. The building's front elevation (facing Van Buren) will convey a high-quality office appearance while being architecturally tied into the overall building mass and composition. This is achieved by additional horizontal and vertical glass to indicate an office appearance; horizontal steel canopies to bring the scale down for pedestrians; and wall surfaces that pop in and out, as well as vertically.

The conceptual building elevations include distinct design elements, such as strong architectural forms, colors and accent shading features, variations in building height, and offsets in building fronts, which collectively provide for an enhanced visual interest and varied building massing, and create distinctive points of entry for users. A combination of concrete tilt up wall panels with a series of reveals and patterns will accent the building elevations. A significant amount of storefront glass at each corner entry highlights the material variation, with some of it reaching an elevation to allow possible two-story offices within the building. Clerestory windows are also provided for additional variation and to provide additional internal lighting to the building.

Multiple materials such as smooth concrete tilt up wall panels, a formliner for variation of reveals and patterns at the entry corner as accents, steel canopies to contrast the tilt panels and a variety of paint colors are incorporated into the building elevations to provide variation in texture. The building also utilizes design features such as architectural pop outs of the tilt panels along the face of the building and vertical variations in heights at those pop outs to provide greater variation in the height and mass of the walls on the front and side facades.

H. Site Design Criteria

The conceptual site plan orients the buildings to face Van Buren Street. Access to the Property will be provided from Van Buren Street and 101st Ave, in the locations shown on the site plan. These points of access and internal circulation provide good access to users, employees and customers. Generous landscaping and decorative screen walls provide additional buffering from Van Buren Street.

The building is oriented so that the office component of the building primarily faces Van Buren Street, and the industrial operations are hidden at the rear of the Property. Having the trucking operations on the north side of the building also minimizes its exposure to the sun.

I. Signage

The proposed building has extensive frontage on both Van Buren Street and 101st Avenue. The length of these combined frontages, together with the need to provide effective visibility and building identification for site visitors, warrants commensurate signage for a project of this scale. Therefore, a deviation from the Commerce Park zoning district signage requirements is requested herein. Specifically, signage for the Project shall comply with the sign standards for the Commerce Park zoning district, except that an additional 25 percent of sign area shall be permitted. Further, the maximum area for a wall sign shall be 200 square feet. Signage will be established via Comprehensive Sign Plan.

J. Landscaping, Pedestrian Open Space and Amenities

The Project landscaping will be consistent with the existing streetscape in the Interstate Commerce Center. This development will have a predominantly lush and Mediterranean design with an intensity and density to create a pleasant and comfortable working environment. The proposed landscaping on the Property mimics the same design present within this PAD area and will complement the existing landscaping in the area. The continuity of 5-foot arterial sidewalks, “soldier rows” of trees, and the massing of shrub material in the background will provide for a streetscape that is consistent with the existing Interstate Commerce Center PAD streetscape landscaping in color, texture and massing. The plant palette along the streetscape is limited to only a "handful" of plant varieties to provide continuity with the existing streetscape. Desert Museum Palo Verde, Live Oak, and Willow Acacia, will be the prominent tree. Shrub and

groundcover plantings. Landscaping will be provided on-site as required by the Zoning Ordinance; however, a minor deviation is requested to reduce the required landscaping along the north property line, for approximately the length of the truck trailer parking area, as shown on the enclosed landscape plan. This deviation is necessary to accommodate the truck trailer parking area on this small site and to reduce conflicts. Ultimately, there is an existing screen wall that runs along much of the northern property line which visually screens the truck trailer parking area and precludes visual access to the subject area. One (1) outdoor employee break area will be provided to provide refuge, as shown on the conceptual site plan.

The development includes low-impact design elements. Stormwater retention is stored onsite in underground systems and is disposed by state regulated drywell systems. These systems provide addition filtration of storm runoff and recharge water to the aquifer.

K. Grading and Drainage

Existing drainage on the site generally flows to the south and west. Run-off from the adjacent existing half-streets will be accepted on-site and will be routed through underground piping to underground retention. Any additional required storage capacity will be provided in underground tanks and disposal for onsite retention will be accomplished by drywells.

L. Summary

The PAD amendment is in full conformance with the General Plan and existing Interstate Commerce Park PAD. The proposed use will produce jobs, provide benefits to the City of Avondale, and will activate an undeveloped, long vacant parcel of land. The PAD Amendment sets forth exceptional site development and architectural design that will have a positive influence on the area. In summary, this light industrial use is consistent with the City's long-term vision for this area, compatible with the surrounding area, and is appropriate land use planning.

Exhibit A

Exhibit A – Aerial Map

Exhibit B

Exhibit B – General Plan Map Excerpt

Exhibit B – Zoning Map

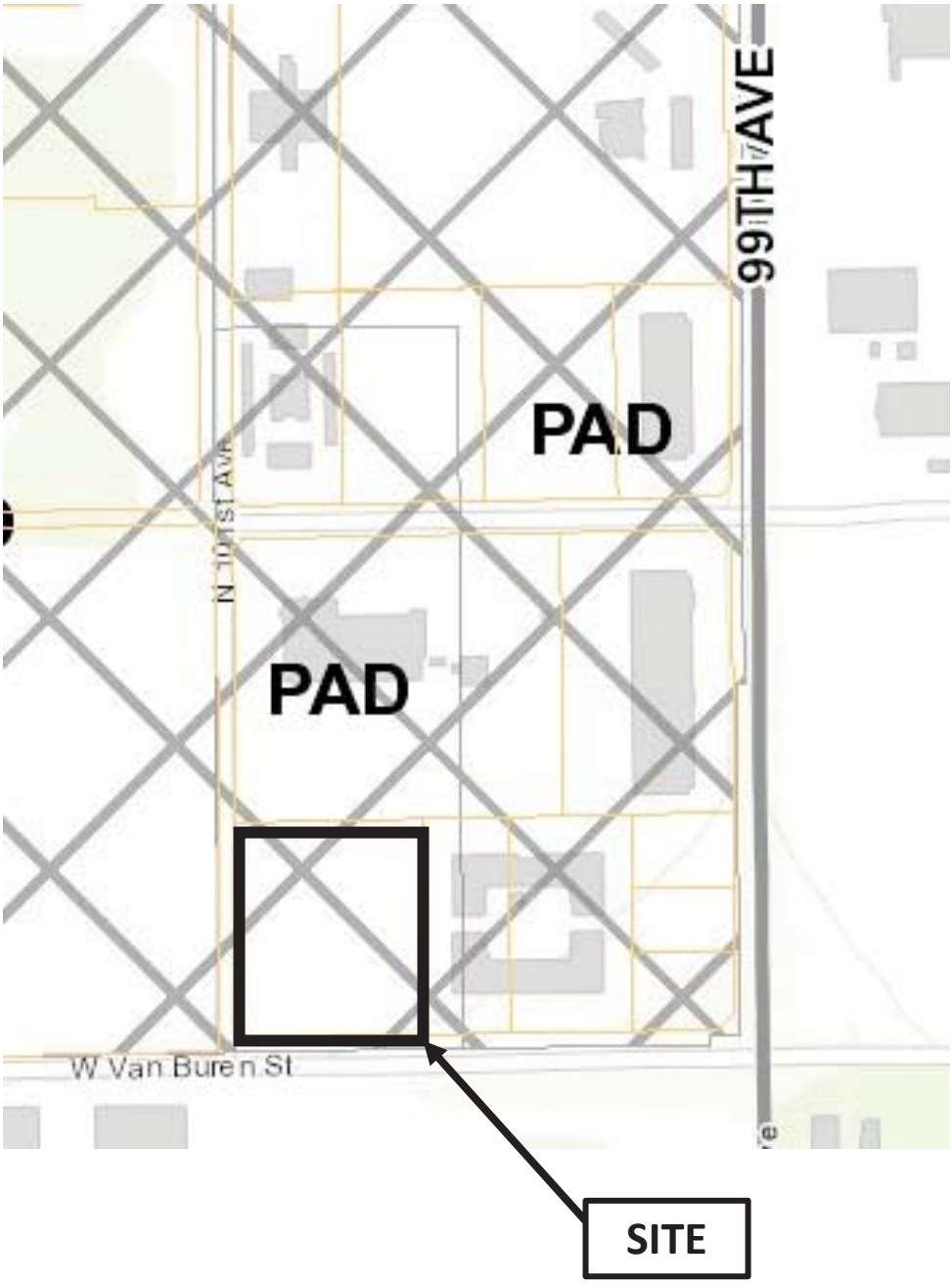
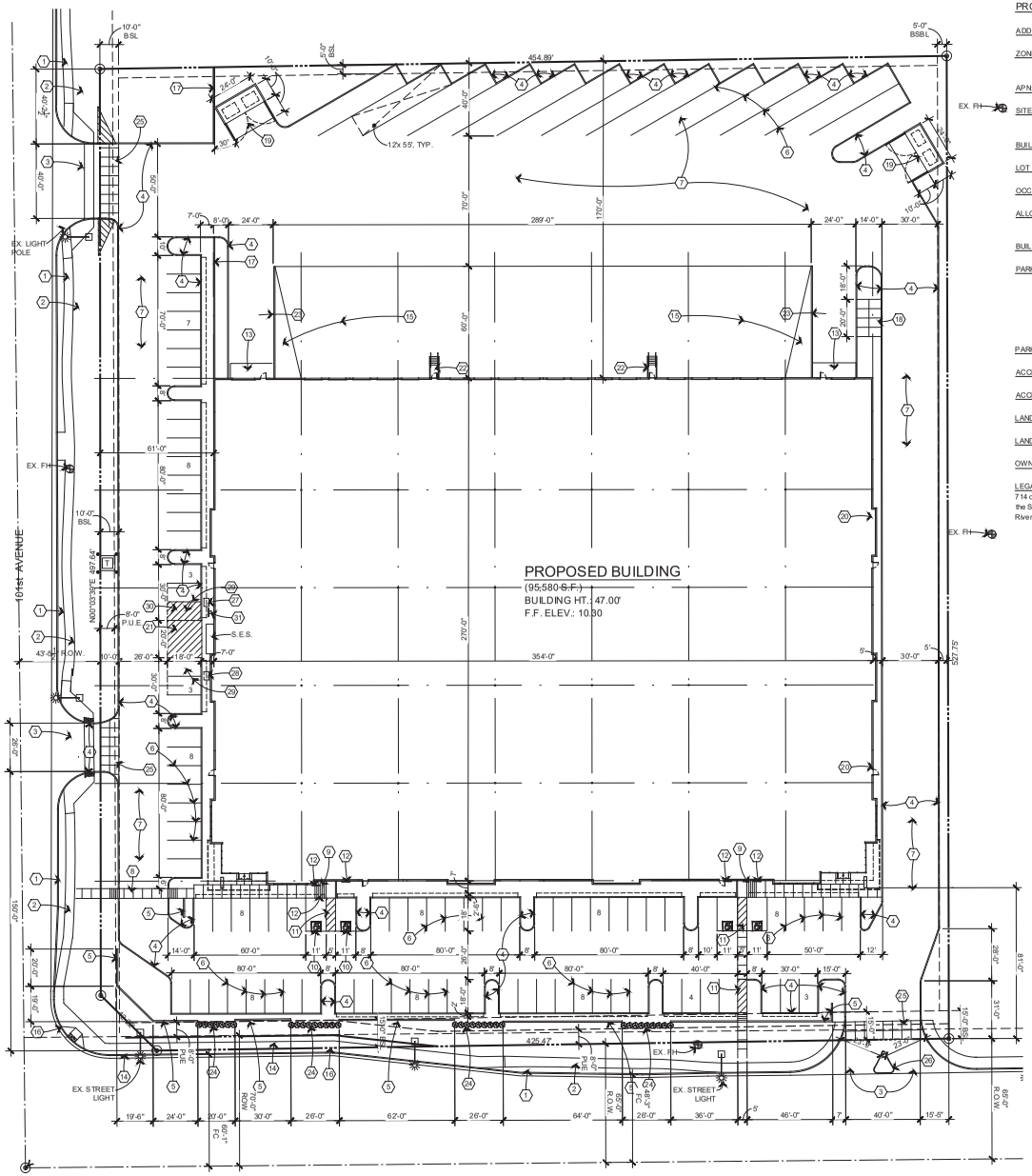


Exhibit C



SITE PLAN KEYNOTES

1. Existing concrete vertical curb and gutter
2. Existing concrete sidewalk
3. New concrete curb cut per civil drawings
4. 4" concrete curbing per civil drawings
5. 3'-0" high, 8" cmu screen wall per details, Sheet SP-2
6. 4" wide white painted parking stripes
7. Asphalt pavement per civil drawings
8. 4" colored concrete (3500 psi) sidewalk with score joints at 5'-0" oc maximum flush with pavement
9. Ramp up 1:12 maximum. Provide scoring per 2010 ADA Standards
10. Accessible symbol painted on pavement per detail, Sheet SP-2
11. 4" wide yellow painted diagonal striping at 24" oc and at perimeter
12. Accessible signage per detail, Sheet SP-2
13. 6" x 5'-0" wide concrete apron (3500 psi_ flush with finish floor and adjacent pavement
14. New concrete sidewalk per City of Avondale standard
15. Concrete truckwell per civil and structural drawings
16. New concrete vertical curb and gutter per civil drawings
17. 6'-0" high, 8" cmu screen wall per detail, Sheet SP-2
18. Employee break area
19. Double trash enclosure per detail, Sheet SP-2
20. 3 hour fire rated wall, joints, and openings
21. 4" wide painted white diagonal striping for power company access to SES
22. Steel stairs per details
23. 6" concrete curb (CIP)
24. Hedge shrubs per landscape plan
25. Scored colored concrete with score joints at 5'-0" oc each way
26. Raised concrete porkchop for right-in / right-out at this curb cut
27. Charging station
28. Future charging station. Provide Level 2 EV capable (equipped with conduit and paver supplies for future EV charging stations)
29. Future electric vehicle charging stations
30. 4" wide white painted diagonal striping at 32" oc and at perimeter
31. Provide signage: "Electric Vehicle Charging Station Parking Only"

SITE PLAN

SCALE: 1" = 30'-0"

30 0 30 60 90

SCALE: 1" = 30'

PROJECT DATA

ADDRESS:

ZONING: Existing zoning PAD
Proposed zoning amendment PAD

APN: 102-54-053A

SITE AREA: Gross = 295,191 SF (6.78 Acres)
Net = 239,729 SF (5.5 Acres)

BUILDING AREA: 95,580 SF

LOT COVERAGE: 9558/239,729= 39.9%

OCCUPANCY: B/S1

ALLOWABLE AREA: Unlimited area with 60' yards except East side which is 40' and has a three hour fire rated wall

BUILDING HEIGHT: 47.00'

PARKING REQUIRED: 95,580/ 90%= 86,022
Future offices= 9,558 SF/250= 39 spaces
Warehouse= 76,464 SF
10,000/500 = 20 spaces
66,464/5,000= 14 spaces
Total= 73 spaces

PARKING PROVIDED: 92 Spaces

ACCESSIBLE SPACES REQUIRED: 4 Spaces

ACCESSIBLE SPACES PROVIDED: 4 Spaces

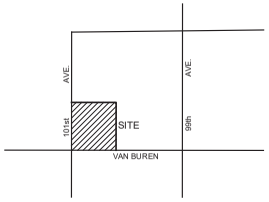
LANDSCAPE REQUIRED: 239,729 x 10 %= 23,973 SF

LANDSCAPE PROVIDED: 24,636 SF

OWNER: Milicevic Family Trust

LEGAL DESCRIPTION: Lot 11 "Interstate Commerce Center" amended, as recorded in Book 714 of Maps, Page 49, of Maricopa County records, Arizona. Located within the East half of the Southeast Quarter of Section 5, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona

NOTE: No walls, fences, structures, or trees are permitted within the P.U.E.



VICINITY MAP

SCALE: N.T.S.

winton architects, inc.
1435 E. Rancho Drive
Phoenix, Az. 85014
(602) 230-9778
wintonarch@gmail.com

A NEW OFFICE / WAREHOUSE BUILDING FOR
101sT AVENUE & VAN BUREN
AVONDALE, ARIZONA

job no.	20140
drawn	LB
approved	RBW
date	5/18/21

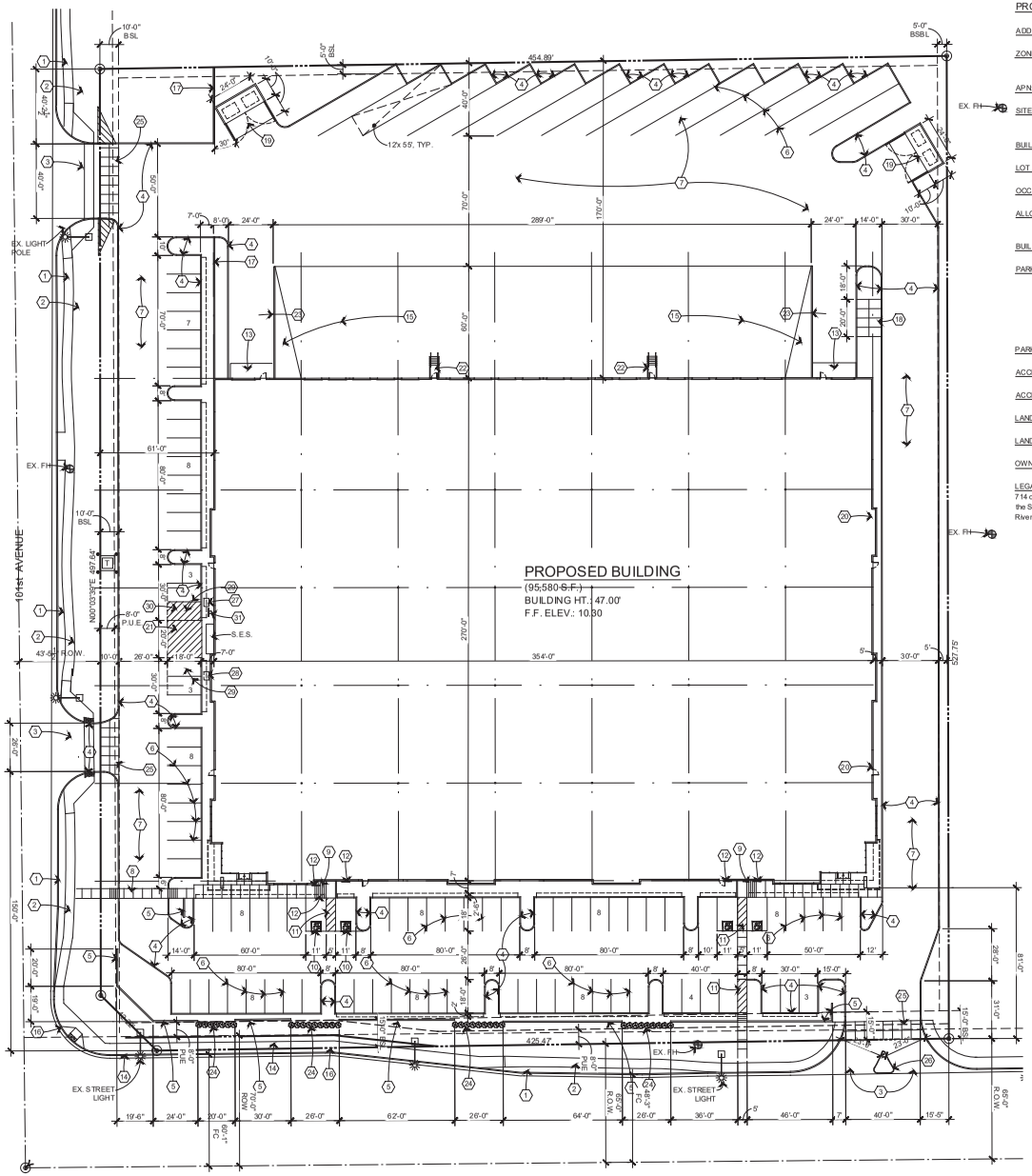
revisions

SP-1

Exhibit F

Proposed Site Plan

Received electronically
June 1, 2021



SITE PLAN KEYNOTES

1. Existing concrete vertical curb and gutter
2. Existing concrete sidewalk
3. New concrete curb cut per civil drawings
4. 4" concrete curbing per civil drawings
5. 3'-0" high, 8" cmu screen wall per details, Sheet SP-2
6. 4" wide white painted parking stripes
7. Asphalt pavement per civil drawings
8. 4" colored concrete (3500 psi) sidewalk with score joints at 5'-0" oc maximum flush with pavement
9. Ramp up 1:12 maximum. Provide scoring per 2010 ADA Standards
10. Accessible symbol painted on pavement per detail, Sheet SP-2
11. 4" wide yellow painted diagonal striping at 24" oc and at perimeter
12. Accessible signage per detail, Sheet SP-2
13. 6" x 5'-0" wide concrete apron (3500 psi_ flush with finish floor and adjacent pavement
14. New concrete sidewalk per City of Avondale standard
15. Concrete truckwell per civil and structural drawings
16. New concrete vertical curb and gutter per civil drawings
17. 6'-0" high, 8" cmu screen wall per detail, Sheet SP-2
18. Employee break area
19. Double trash enclosure per detail, Sheet SP-2
20. 3 hour fire rated wall, joints, and openings
21. 4" wide painted white diagonal striping for power company access to SES
22. Steel stairs per details
23. 6" concrete curb (CIP)
24. Hedge shrubs per landscape plan
25. Scored colored concrete with score joints at 5'-0" oc each way
26. Raised concrete porkchop for right-in / right-out at this curb cut
27. Charging station
28. Future charging station. Provide Level 2 EV capable (equipped with conduit and paver supplies for future EV charging stations)
29. Future electric vehicle charging stations
30. 4" wide white painted diagonal striping at 32" oc and at perimeter
31. Provide signage: "Electric Vehicle Charging Station Parking Only"

SITE PLAN

SCALE: 1" = 30'-0"

30 0 30 60 90

SCALE: 1" = 30'

PROJECT DATA

ADDRESS:

ZONING: Existing zoning PAD
Proposed zoning amendment PAD

APN: 102-54-053A

SITE AREA: Gross = 295,191 SF (6.78 Acres)
Net = 239,729 SF (5.5 Acres)

BUILDING AREA: 95,580 SF

LOT COVERAGE: 9558/239,729= 39.9%

OCCUPANCY: B/S1

ALLOWABLE AREA: Unlimited area with 60' yards except East side which is 40' and has a three hour fire rated wall

BUILDING HEIGHT: 47.00'

PARKING REQUIRED: 95,580/ 90%= 86,022
Future offices= 9,558 SF/250= 39 spaces
Warehouse= 76,464 SF
10,000/500 = 20 spaces
66,464/5,000= 14 spaces
Total= 73 spaces

PARKING PROVIDED: 92 Spaces

ACCESSIBLE SPACES REQUIRED: 4 Spaces

ACCESSIBLE SPACES PROVIDED: 4 Spaces

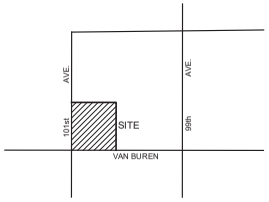
LANDSCAPE REQUIRED: 239,729 x 10 %= 23,973 SF

LANDSCAPE PROVIDED: 24,636 SF

OWNER: Milicevic Family Trust

LEGAL DESCRIPTION: Lot 11 "Interstate Commerce Center" amended, as recorded in Book 714 of Maps, Page 49, of Maricopa County records, Arizona. Located within the East half of the Southeast Quarter of Section 5, Township 1 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona

NOTE: No walls, fences, structures, or trees are permitted within the P.U.E.



VICINITY MAP

SCALE: N.T.S.

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(602) 230-9778
wintonarch@gmail.com

A NEW OFFICE / WAREHOUSE BUILDING FOR
101sT AVENUE & VAN BUREN
AVONDALE, ARIZONA

job no.	20140
drawn	LB
approved	RBW
date	5/18/21

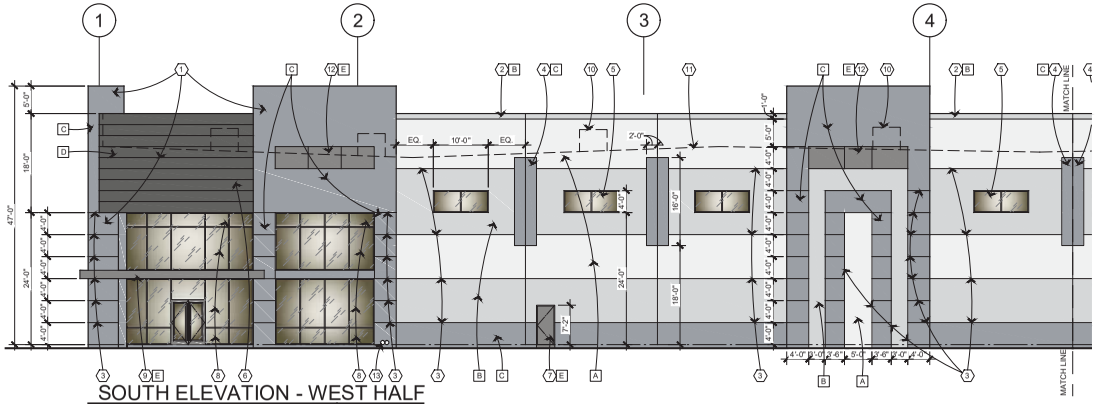
revisions

SP-1

Exhibit G

Proposed Building Elevations

Received Electronically April 22, 2021



SOUTH ELEVATION - WEST HALF

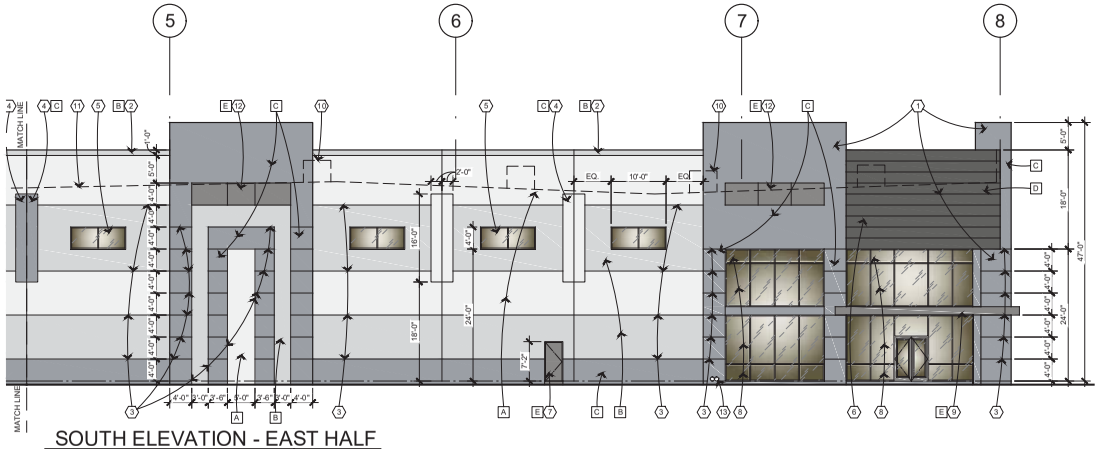
SCALE: 3/32" = 1'-0"

EXTERIOR PAINT COLORS
(Dunn Edwards paints or equal)

A. Snowflake, DEW384
B. December Sky, DE6352
C. Gray Wolf, DE6354
D. Charcoal Smudge, DE6370
E. Looking Glass, DE6376

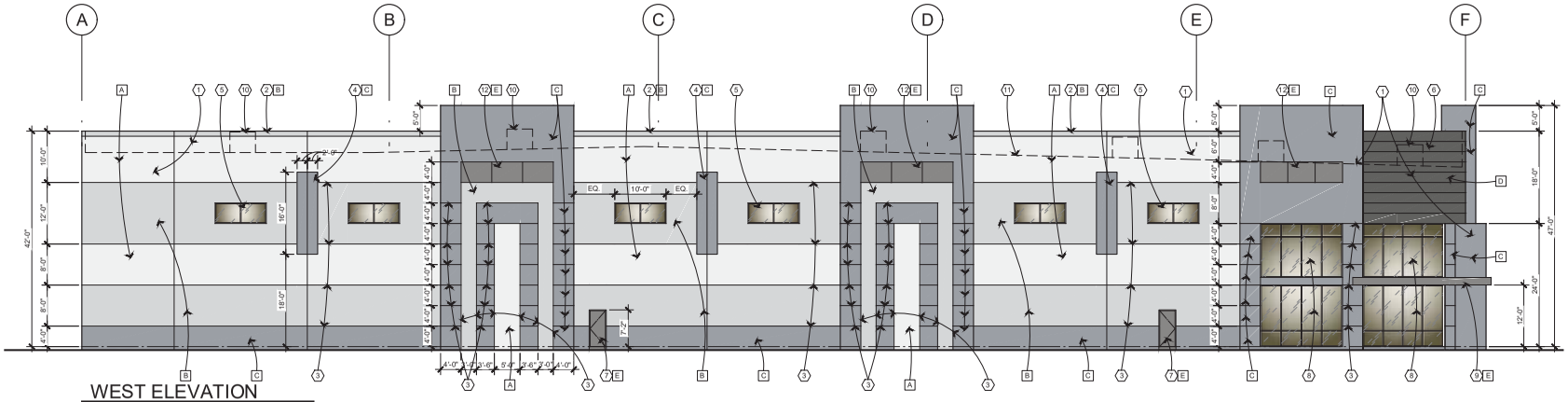
EXTERIOR ELEVATION KEYNOTES

1. Concrete tilt up wall panels
2. 1'-0" x ½" deep reveal
3. 2" x ½" deep reveal
4. 4' wide by 16'-0" long by ½" deep reval
5. Fixed 1" insulated glass in anodized aluminum frames
6. 2" x ½" deep reveals at 2'-0" oc
7. Hollow metal door and frame
8. Fixed insulated glass in center glazed anodized aluminum frames
9. Steel canopy per details
10. Mechanical unit beyond building parapet
11. Line of roof beyond the parapet wall
12. 18'-0" x 4'-0" x ½" deep reveal and two equally spaced vertical vee joints
13. Roof and overflow drain
14. Steel vertical hi lift sectional overhead door
15. Steel stairs, landing and handrails
16. 1'-6" high individually mounted pan channel black anodized aluminum Helvetica medium address numbers



SOUTH ELEVATION - EAST HALF

SCALE: 3/32" = 1'-0"



WEST ELEVATION

SCALE: 3/32" = 1'-0"

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AVONDALE, ARIZONA

job no.	20140
drawn	LB
approved	RBW
date	4/14/21

revisions

A-2

EXTERIOR ELEVATION KEYNOTES

1. Concrete tilt up wall panels
2. 1'-0" x ½" deep reveal
3. 2" x ½" deep reveal
4. 4' wide by 16'-0" long by ½" deep reval
5. Fixed 1" insulated glass in anodized aluminum frames
6. 2" x ½" deep reveals at 2'-0" oc
7. Hollow metal door and frame
8. Fixed insulated glass in center glazed anodized aluminum frames
9. Steel canopy per details
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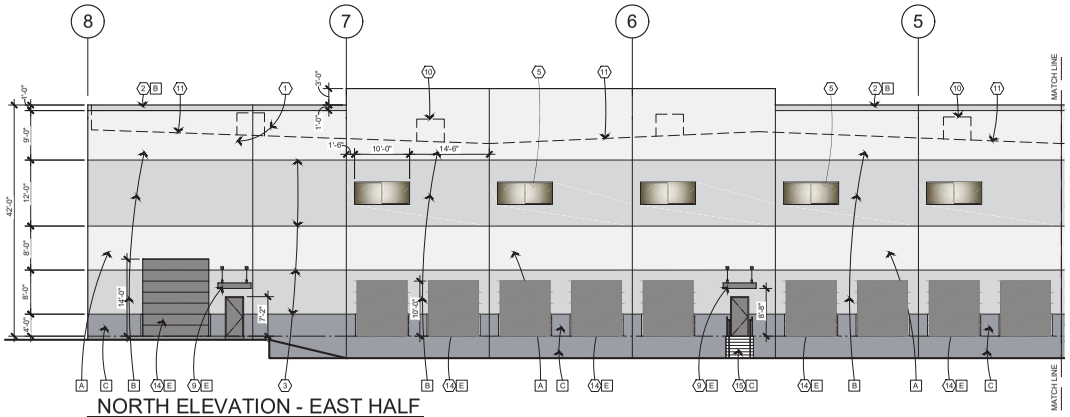


NORTH ELEVATION - EAST HALF

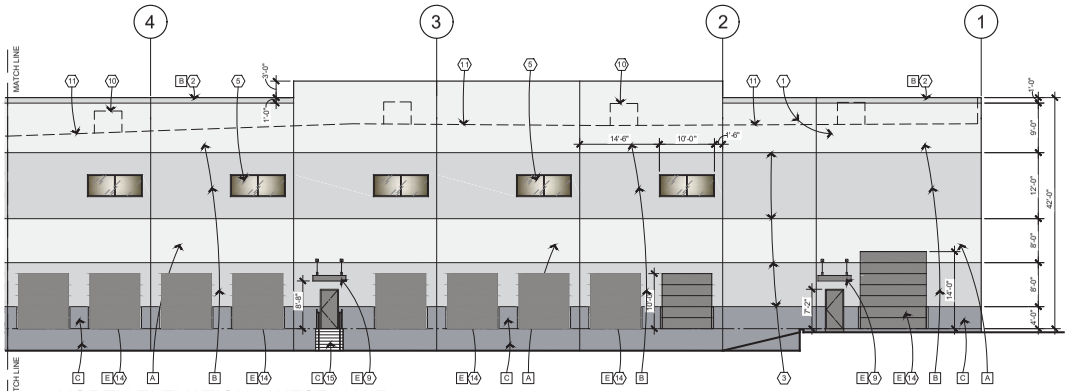
SCALE: 3/32" = 1'-0"

NOTE: Metal roof drain, downspouts, and roof access ladder need to be internalized

EXTERIOR PAINT COLORS

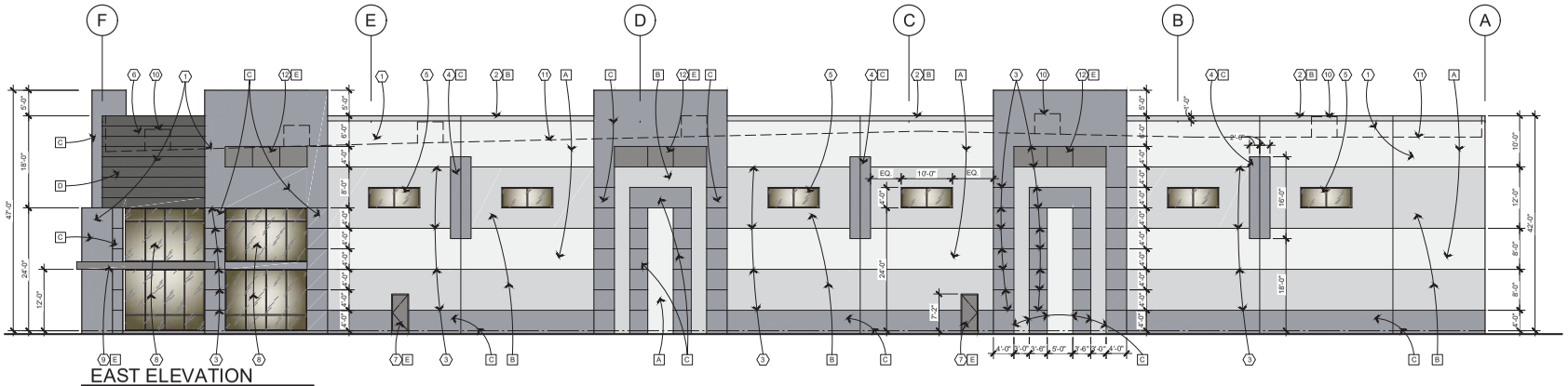
(Dunn Edwards paints or equal)

A. Snowflake, DEW384
B. December Sky, DE6352
C. Gray Wolf, DE6354
D. Charcoal Smudge, DE6370
E. Looking Glass, DE6376



NORTH ELEVATION - WEST HALF

SCALE: 3/32" = 1'-0"



EAST ELEVATION

SCALE: 3/32" = 1'-0"

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revisions

A-2.1

Exhibit H

Neighborhood Meeting Summary

Van Buren 101, 6:00 P.M. June 24, 2021

Van Buren 101
Neighborhood Meeting Summary
(Case No. PL21-0080)

Date Submitted: June 28, 2021

A. Date, Time, and Location of the Meeting

The required neighborhood meeting for Case No. PL-21-0080 was held on Thursday, June 24, 2021 at 6:00 PM. Due to the COVID-19 pandemic and city requirements for neighborhood meetings, the meeting was a virtual meeting that was hosted via the City's Zoom platform.

The neighborhood meeting notification was noticed in accordance with the City's Zoning Ordinance Requirements. The applicant completed the legal newspaper advertisement with a publishing in the June 9, 2021 edition of the Southwest Valley Republic newspaper. Additionally, the applicant posted a public notice sign by June 9, 2021 as well. The affidavits are enclosed at ***Tab A***.

B. Number of Participants

The applicant, along with the project development team, and City of Avondale Planning representatives attended the virtual neighborhood meeting. Councilmember Dennis and Commissioner Meginnis also attended the meeting. There were no other members from the general public that attended the virtual neighborhood meeting.

C. Summary of Presentation, Questions and Applicant Responses

The applicant commenced the neighborhood meeting by providing an overview of the application request. The applicant provided a description of the surrounding area context, existing land use designations, and specifics regarding the proposed project. The applicant also shared the proposed elevations and site plan. The applicant then offered an opportunity for questions and comments. Below is a summary of questions asked and the applicant-provided responses:

1. **What are the number of users that could be accommodated in the building?**

   The applicant advised that the proposed building provides for flexible suite options, or it could be entirely leased by one (1) tenant.

2. **What type of use(s) will be in the building?**

   The development team responded that the types of users may be robust and include anything from fulfillment to company headquarters, as well as warehousing and distribution.

3. **What are the adjacent uses?**

   The applicant provided a summary of the adjacent uses, which most directly includes a truck service use to the north.

D. Summary

The feedback received regarding the proposed project was generally positive and no concerns or issues were raised. The applicant will continue to be available to discuss the proposal with interested parties throughout the process.

ORDINANCE NO. 2044-0921

AN ORDINANCE OF THE COUNCIL OF THE CITY OF AVONDALE, ARIZONA, MODIFYING THE PLANNED AREA DEVELOPMENT ZONING FOR PROPERTY GENERAL LOCATED 200 FEET WEST OF THE NORTHWEST CORNER OF 99TH AVENUE AND PIERCE STREET, AS SHOWN IN APPLICATION PL-20-0070, BY AMENDING THE ALLOWABLE USES AND THE DEVELOPMENT AND DESIGN STANDARDS.

WHEREAS, on March 18, 1996, the Council of the City of Avondale (the "City Council") amended the City of Avondale Zoning Atlas by adopting Ordinance No. 606-96, rezoning approximately 55 acres of real property generally located at the southwest corner of 99th Avenue and Roosevelt Street to a Planned Area Development District (the "PADD"); and

WHEREAS, on January 21, 1997, the City Council amended the PADD by adopting Ordinance No. 633-97, amending the permitted uses for approximately 24 acres of real property generally located 700 feet west of the northwest corner of 99th Avenue and Van Buren Street; and

WHEREAS, on November 15, 2004, the City Council amended the PADD by adopting Ordinance No. 1065-04 (i) ratifying the permitted uses in Ordinance No. 606-96 and Ordinance No. 633-97 and (ii) amending the permitted uses for lots 5-18 of the Interstate Commerce Center Final Plat (the "Interstate Commerce Center PAD"); and

WHEREAS, on October 5, 2020, the City Council amended the PADD by adopting Ordinance No. 2030-1020, amending the permitted uses for lots 5 and 6 of the Interstate Commerce Center PAD; and

WHEREAS, the Property Developer has requested a modification to the Interstate Commerce Center PAD to incorporate a new permitted use (the "Modifications") for ± 5.50 acres of real property designated as Lot 11, and assigned Maricopa County Assessor Parcel No. 102-54-053A, generally located 200 feet west of the northeast corner of 101st Avenue and Van Buren Street, as more particularly described and depicted on Exhibit A attached hereto and incorporated herein by this reference (the "Subject Property"); and

WHEREAS, the City Council now desires to approve the Modifications to the Interstate Commerce Center PAD by adopting the amendment as shown in Application PL-21-0080 (the "Van Buren 101 PAD Amendment"); and

WHEREAS, all due and proper notices of the public hearings on the Van Buren 101 PAD Amendment held by the City of Avondale Planning Commission (the "Commission") and by the City Council were given in the time, form and substance required by ARIZ. REV. STAT. § 9-462.04; and

WHEREAS, on July 21, 2021, the Commission held a public hearing on the Van Buren 101 PAD Amendment, after which hearing the Commission recommended approval; and

WHEREAS, the City Council held an additional public hearing regarding the Van Buren 101 PAD Amendment on September 7, 2021; and

WHEREAS, in accordance with Article II, Sections 1 and 2 of the Arizona Constitution, the City Council has considered the individual property rights and personal liberties of the residents of the City before adopting this Ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVONDALE as follows:

SECTION 1. The recitals above are hereby incorporated as if fully set forth herein.

SECTION 2. The Van Buren 101 PAD Amendment for the Interstate Commerce Center PAD, as shown in Application PL-21-0080, is hereby approved subject to the City of Avondale adopted codes, requirements, standards and regulations, and the following stipulations:

1. Development of the Subject Property shall conform to the Interstate Commerce PAD Narrative and Site Plan both date stamped August 19, 2020, and the Building Elevations date stamped April 22, 2021, except as modified by these conditions.

2. The developer shall submit an application for approval of a Comprehensive Sign Package for all building mounted and freestanding monument signage, prior to issuance of any sign permits for the Subject Property.

3. The Subject Property is subject to the requirements of Zoning Ordinance Section 11, Required Public Art for New Planned Area Developments (PAD), Commercial, Office, Employment, and Municipal Construction.

4. Grandfathered groundwater rights for the property must be extinguished and pledged to the City of Avondale's designated account (26-002003.0000) prior to issuance of any construction permits for the Subject Property.

5. All development of the Subject Property shall be completed in accordance with the City of Avondale General Engineering Requirements Manual and the City of Avondale Supplement to MAG Uniform Specifications and Details unless a standards deviation has been approved.

6. The developer shall be responsible for fiber conduit installation within the City's public right-of-way in accordance with the City's Transportation Plan and development codes.

SECTION 3. If any provision of this Ordinance is for any reason held by any court of competent jurisdiction to be unenforceable, such provision or portion hereof shall be deemed separate, distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 4. The Mayor, the City Manager, the City Clerk and the City Attorney are hereby authorized and directed to execute all documents and take all steps necessary to carry out the purpose and intent of this Ordinance.

PASSED AND ADOPTED by the Council of the City of Avondale, Arizona, September 7, 2021.

_____
Kenneth N. Weise, Mayor

ATTEST:

_____
Marcella Carrillo, City Clerk

APPROVED:

_____
Nicholle Harris, City Attorney

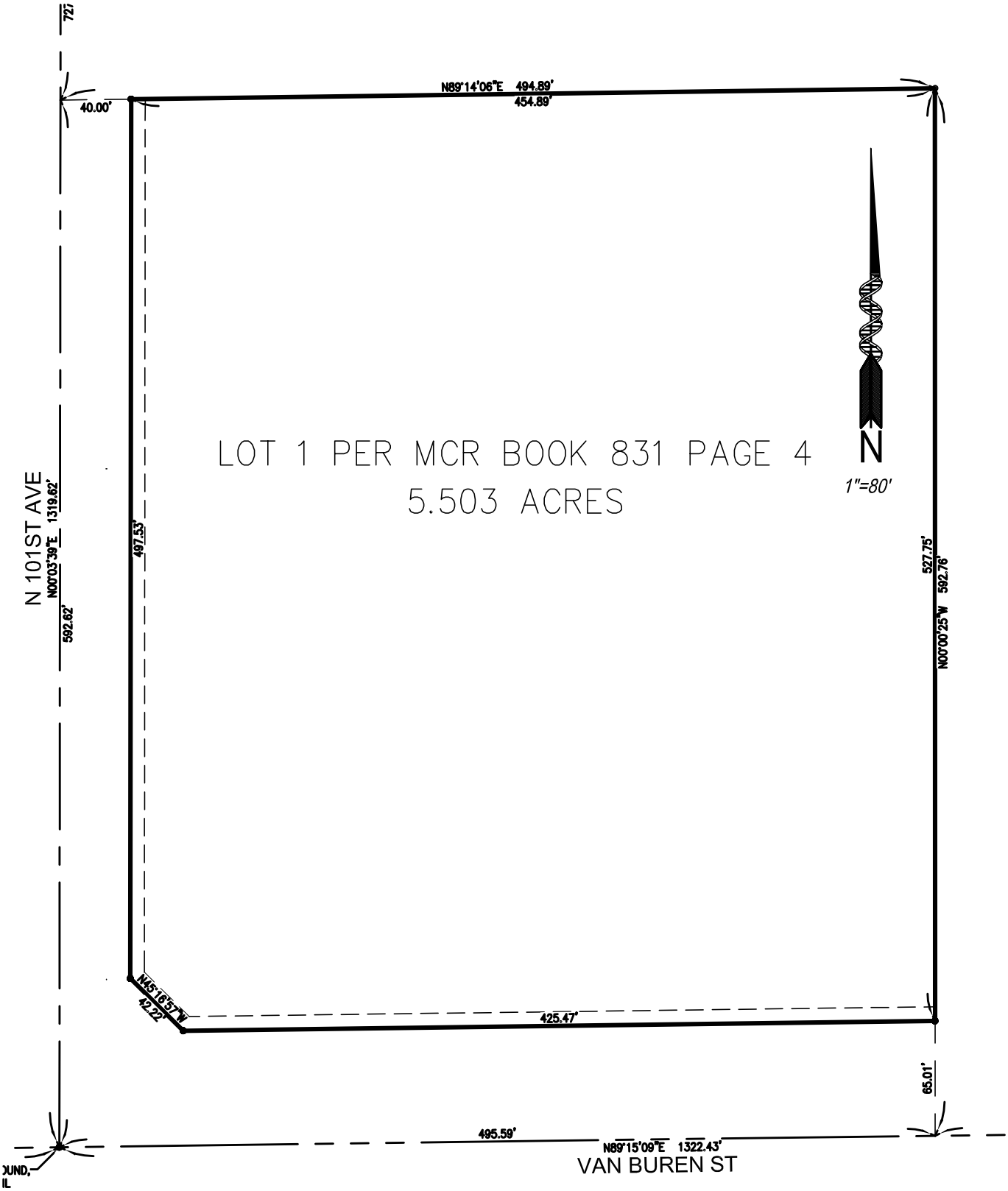
EXHIBIT A
TO
ORDINANCE NO. 2044-0921

[Legal Description and Map of Subject Property]

See following page.

LEGAL DESCRIPTION

LOT 11 OF THE LOT LINE ADJUSTMENT FOR 99TH BUSINESS PARK, LLC, ACCORDING TO BOOK 831 OF MAPS, PAGE 4, RECORDS OF MARICOPA COUNTY, ARIZONA.



Helix Engineering, LLC Engineering / Surveying / Consulting 3240 E Union Hills, Suite 113, Phoenix, AZ 85050 ph 602-788-2616, www.hxeng.com	LOT EHIBIT		
	DRAWN BY: MJT	MARCH 5, 2021	JOB No.:504
	CHECKED BY: SRB		SHEET 1 OF 1