

**CITY OF GOODYEAR  
COUNCIL ACTION REPORT**

<b>SUBJECT: Rezoning from AU (Agricultural Urban) to I-1 (Light Industrial) (Prologis)</b>	<b>STAFF PRESENTER:</b> Steve Careccia, Planner III  <b>CASE NUMBER:</b> 18-200-00010  <b>APPLICANT:</b> Jeff Hunter, Hunter Engineering, representing the property owner, Kohnen Investments LLP
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**PROPOSED ACTION:**

1. Conduct a public hearing to consider a rezoning of approximately 114 acres located at the northeast corner of Bullard Avenue and Yuma Road from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district.
  - a. Open the Public Hearing
  - b. Staff Presentation
  - c. Applicant Presentation
  - d. Receive Public Comments
  - e. Close the Public Hearing
  
2. ADOPT RESOLUTION NO. 2018-1914 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 18-10 CITY OF GOODYEAR, AZ – REZONE CASE” AND “PROLOGIS COMMERCE PARK AT GOODYEAR – LEGAL DESCRIPTION” AND “BULLARD AVENUE CORRIDOR DESIGN TREATMENT STRATEGIES NOVEMBER 2018”.
  
3. ADOPT ORDINANCE NO. 2018-1414 CONDITIONALLY REZONING APPROXIMATELY 114 ACRES LOCATED AT THE NORTHEAST CORNER OF BULLARD AVENUE AND YUMA ROAD FROM THE AU (AGRICULTURAL URBAN) ZONING DISTRICT TO THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

**BACKGROUND AND PREVIOUS ACTIONS:**

The subject property is designated both ‘Business & Commerce’ and ‘Industrial’ on the General Plan Land Use and Transportation Plan.

- The ‘Business & Commerce’ category provides for uses such as business parks, offices, warehouses, regional hospitals, high density residential, and light industrial uses. The following zoning districts are considered appropriate with the ‘Business & Commerce’ land use category: AG (Agricultural), C-O, C-1, C-2 (Commercial), I-1 (Light Industrial),

Multi-Family Residential (MF-18), PFD (Public Facilities District), and PAD (Planned Area Development).

- The ‘Industrial’ category provides for more intensive business and employment uses that have a greater impact on surrounding land uses. Appropriate uses include office, industrial, and business parks. Supportive uses such as community and neighborhood commercial and public and community facilities are also allowed in the ‘Industrial’ category, to the extent that they are needed to serve the primary uses within the category. The following zoning districts are considered appropriate within the Industrial land use category: AG (Agricultural), C-2 (General Commercial), I-1 (Light Industrial), I-2 (General Industrial), PFD (Public Facilities District), and PAD (Planned Area Development).

A City Council worksession was held on October 22, 2018 to discuss the vision for the Bullard Avenue corridor. In general, the consensus from the City Council was that light industrial zoning could be appropriate within the corridor with accompanying landscape, entry feature, and architectural enhancements.

### **STAFF ANALYSIS:**

#### **Current Policy:**

A request to rezone property requires public review and approval by the Planning and Zoning Commission and City Council. The proposed rezoning should be consistent with the General Plan and should not adversely affect the surrounding area.

#### **Details of the Request:**

The request is to rezone approximately 114 acres from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district. The subject property is located at the northeast corner of Bullard Avenue and Yuma Road. The property is currently undeveloped but utilized for agricultural purposes.

Pursuant to a rezoning to the I-1 (Light Industrial) zoning district, the following uses of land would be permitted on the subject property:

1. Commercial trade school and business colleges
2. Manufacturing and assembly of products
3. Office buildings
4. Processing and compounding of previously prepared materials
5. Scientific or research laboratories
6. Wholesale activities and warehousing
7. Veterinary offices
8. Veterinary hospitals and animal boarding facilities
9. Public utility facilities
10. Medical marijuana dispensary
11. Medical marijuana cultivation location
12. microbrewery

The property owner intends to develop an industrial complex on the subject property. The complex is anticipated to consist of several buildings as described and depicted within the attached project narrative. However, the requested I-1 (Light Industrial) zoning would permit the development of one or two large buildings instead of the proposal for several smaller buildings depicted within the project narrative. All proposed uses of the buildings shall be in conformance with those uses as permitted within the I-1 (Light Industrial) zoning district.

As the property is adjacent to Bullard Avenue, the applicant intends to develop the property in a way that enhances the corridor. The proposed enhancements include a restriction on dock doors/bays facing Bullard Avenue and adherence to special landscape standards developed specifically for the Bullard Avenue corridor.

**Evaluation Criteria:**

Per the city of Goodyear Zoning Ordinance, the city’s review and recommendation on a rezoning request is to be guided by the following criteria:

1. *Consistency with the General Plan.*

The General Plan designates the subject property with a land use of ‘Business & Commerce’ and ‘Industrial’. Pursuant to the General Plan, the requested I-1 (Light Industrial) zoning district is considered appropriate with both of these land uses. The types of uses permitted in the I-1 (light Industrial) zoning district are considered appropriate in these land uses.

2. *Suitability of the subject property’s physical and natural features for the uses permitted under the proposed zoning district.*

The subject property is currently in agricultural production. With the prerequisite improvements to the property, such as grading and installation of infrastructure, the property will be suitable for light industrial development as established in the I-1 (Light Industrial) zoning district.

3. *Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.*

Uses and development surrounding the subject property include:

North – Undeveloped property zoned I-1 (Light Industrial).

South – Yuma Road, the Phoenix Goodyear Airport, and undeveloped property zoned PAD (Planned Area Development).

East – 143<sup>rd</sup> Avenue, property zoned I-1 (Light Industrial) developed for distribution/warehousing, and undeveloped property zoned I-1 (Light Industrial).

West – Undeveloped property zoned I-1 (Light Industrial) and C-2 (General Commercial).

The proposed use of the property for light industrial use will be compatible with the above referenced land uses and zoning.

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

Bullard Avenue Corridor:

The Bullard Avenue corridor, between Van Buren Street and Yuma Road, will be developed with design enhancements in accordance with City Council direction. Design treatments for the corridor have been established, including the designation of major entry features at the intersections of Bullard Avenue with Van Buren Street and Yuma Road. These entries will provide for corridor identification signage on gabion walls, artificial turf accents, and tree groves. This signage is intended to be on property controlled by the city, with the city responsible for maintenance of the signage and property. The treatments will also provide for a cohesive landscape theme for the entire length of the corridor. The theme will include formal plantings of trees, cacti, and shrubs, berms, and use of accent rocks and artificial turf.

Luke AFB:

The subject property is not located within the overflight boundary of Luke Air Force Base. Given the commerce and light industrial nature of development intended on the subject property, base operations will not be adversely affected.

Phoenix Goodyear Airport:

The subject property is located within the traffic pattern airspace of the Phoenix Goodyear Airport. Given the commerce and light industrial nature of development intended on the subject property, airport operations will not be adversely affected. The Airport has requested that stipulations related to notification and hazard determination be placed on the rezoning. Said stipulations have been included on the draft of Ordinance No. 2018-1414.

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

The property owner has indicated a need for additional light industrial zoned property in this area.

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

Fire Department:

Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd Nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	3.86	1.93	5.37	2.69	#183	6.84	3.42	8.5	4.25

Police Department:

The subject property is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property.

Streets/Transportation:

The property is adjacent to Bullard Avenue, Yuma Road, and 143<sup>rd</sup> Avenue. As noted in the stipulations of approval, the future development of the property will require the dedication of rights-of-way and half-street improvements for these roadways in accordance with applicable engineering standards. The major intersections of Bullard Avenue with Van Buren Street and Yuma Road will be enhanced with decorative pavement.

Water/Wastewater/Sanitation:

Water and wastewater service will be provide by the city of Goodyear. Water and wastewater infrastructure is present in the area. Non-residential sanitation service will be provided by a private waste collection company.

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

The subject property is in proximity to existing public services. The property owner will be responsible for making the necessary infrastructure improvements required with the development of the subject property. This includes the dedication of rights-of-way and construction of the half-street roadways adjacent to the subject property.

8. *General public concerns*

To date, no public concerns have been received on this rezoning request.

9. *Whether the amendment promotes orderly growth and development.*

The subject property is located within the proximity of utility services and infrastructure, and is located in an area intended for the growth of commerce and light industrial development.

10. *Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the city and the general public.*

The development should not have any adverse impacts on the general health, safety and welfare of the citizens of the city or general public. The development of the subject property will occur in conformance with city of Goodyear regulations, including the Zoning Ordinance and engineering design standards.

**PUBLIC PARTICIPATION:**

In accordance with the City's Citizen Review Process, an alternative notification process was used for this request. A formal citizen review meeting was not involved, but notice providing

information on the request was mailed to surrounding property owners within 500 feet of the subject property. To date, staff has not received any public inquires on this request.

Notice for the Planning and Zoning Commission and City Council public hearings for this item included a legal notice placed in the Arizona Republic on October 26, 2018; a sign posted on the subject property; and a notice mailed to all property owners within 500 feet of the subject property. To date, staff has not received any public inquires as a result of this notice.

The item was heard by the Planning and Zoning Commission at their regular meeting of November 14, 2018. At the request of staff and the applicant, the item was continued to a public hearing scheduled for December 5, 2018 before the Planning and Zoning Commission. The continuation was to allow staff and the applicant additional time to address development along the Bullard Avenue.

The item was heard by the Planning and Zoning Commission at their regular meeting of December 5, 2018. The Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council. No one from the public spoke on this item. Stipulation No. 1 of the draft Ordinance that was presented to the Planning and Zoning Commission has been modified. Stipulation No. 1 in Ordinance No. 2018-1414 clarifies that that the property owner is to dedicate the property interests needed for the design enhancements for the Bullard Avenue Corridor discussed above, including but not limited to the property needed for the corner corridor entry features.

### **FISCAL ANALYSIS:**

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax, and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues, and the increased demand for commercial and retail development.

### **RECOMMENDATION:**

With the stipulations as recommended in the draft of Ordinance No. 2018-1414, staff finds the requested zoning is in conformance with the General Plan and will not adversely affect the surrounding area. Staff recommends approval of the rezoning from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district, as set forth in Draft Ordinance No. 2018-1414, attached hereto.

### **ATTACHMENTS:**

1. Resolution No. 2018-1914
  - a. Exhibit A – Official Supplementary Zoning Map No. 18-10
  - b. Exhibit B – Legal Description

- c. Exhibit C – Bullard Avenue Corridor Design Treatment Strategies November 2018
2. Ordinance No. 2018-1414
3. Aerial Photo
4. Land Use Map
5. Zoning Map
6. Project Narrative dated November 14, 2018