

AGENDA ITEM # _____

DATE: June 24, 2013

COAC NUMBER: 13-5036

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Approve Ordinance No. 13-1285 Amending the El Cidro PAD to Change the Land Use Designation from Commercial to Industrial on Parcel 10 and a Portion of Parcel 13.	STAFF PRESENTER: Steve Careccia, Planner III APPLICANT: Jeff Blilie, Beus Gilbert CASE NUMBER: 13-210-00002
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RECOMMENDATION:

1. Conduct a public hearing to consider approving a request (Case No. 13-210-00002) to amend the El Cidro Final PAD and change the land use designation from Commercial to Industrial for Parcel 10, located on the west side of Cotton Lane between Elwood Street and Commerce Drive, and a portion of Parcel 13 located adjacent to and west of Parcel 10.
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing

2. AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING THE EL CIDRO FINAL PLANNED AREA DEVELOPMENT, AS AMENDED, BY CHANGING THE LAND USE DESIGNATION ON APPROXIMATELY 70.51 ACRES GENERALLY LOCATED AT THE SOUTHWEST CORNER OF COTTON LANE AND ELWOOD STREET FROM COMMERCIAL TO INDUSTRIAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

PURPOSE:

The applicant is requesting an amendment to the El Cidro Final PAD to change the land use for Parcel 10, which will be renumbered Parcel 7, and a portion of Parcel 13, which will be renumbered Parcel 9, from Commercial to Industrial. The area subject to this request is located on the west side of Cotton Lane, between Elwood Street and the Commerce Drive alignment. The proposed PAD Amendment is consistent with the subject property's General Industrial land use as designated in the General Plan. The PAD Amendment and associated industrial development will also be compatible with the existing and proposed land uses in the surrounding area. The Planning and Zoning Commission unanimously voted (6-0) to forward a recommendation for approval to the City Council.

BACKGROUND AND COMMUNITY BENEFIT:

Current Policy:

Unless otherwise provided for in the PAD, a request to amend the land uses of an approved PAD must be processed as a rezoning request which requires public review and approval by the Planning and Zoning Commission and City Council. The proposed amendment should be consistent with the General Plan and should not adversely impact the surrounding area.

The General Plan Land Use Map designates this area as General Industrial. This land use is intended for industrial and manufacturing operations.

Historical Information:

On March 5, 2007, the City Council adopted Ordinance No. 07-1060, which rezoned approximately 616.70 acres to the Final PAD Zoning District.

Parcels 10 and 13 had originally been zoned I-2, General Industrial, before they were included in the El Cidro PAD in 2007. Upon adoption of the El Cidro Final PAD in 2007, portions of those parcels were designated as Industrial and Commercial.

On April 14, 2008, the City Council adopted Ordinance No. 08-1111 approving an amendment to the El Cidro Final PAD providing for an increase of 12 residential lots in then numbered Parcel No. 4, an increase of 10 residential lots in then numbered Parcel No. 5, and reconfiguring the boundaries of approximately 47.62 acres of planned commercial and industrial land uses. The Commercial parcel at Elwood and Cotton Lane was enlarged and the Commercial parcel at Cotton Lane and the railroad was changed from Commercial to Industrial.

On May 24, 2010, the City Council adopted Ordinance No. 10-1215 approving a request to amend the El Cidro Final PAD by including 20 acres of additional commercial land area, creating a new Multi-Use land use category, reconfiguring and modifying existing land uses for several parcels within the PAD, and placing a land use designation on the adjacent City-owned property. The parcel numbers within the PAD were also revised.

Surrounding Properties:

Existing land uses and zoning surrounding the subject property include the following:

- North – Proposed commercial development within the El Cidro PAD and Elwood Street.
- South – Industrial development within the El Cidro PAD.
- East – Goodyear Crossing Industrial Park zoned General Industrial (I-2) and Cotton Lane.
- West – Proposed residential development within the El Cidro PAD and a proposed flood control channel.

Details of the Request:

The applicant is requesting an amendment to the El Cidro Final PAD to change the land use for currently numbered Parcel 10 from Commercial to Industrial. The area to be changed encompasses 49.51 acres located on the west side of Cotton Lane, between Elwood Street

and the Commerce Drive alignment. The subject property is currently undeveloped. The PAD amendment request will also change the land use from Commercial to Industrial for a portion of Parcel 13 owned by the City, which is immediately adjacent to and west of Parcel 10. This area encompasses approximately 21 acres. In addition, the parcel numbers will also be renumbered.

According to the project narrative, the purpose of the amendment is to respond to market demands. With the abundance of commercially-zoned properties to the north, both within El Cidro and at Cotton Lane and Yuma Road, and with the demand for industrially-zoned property along MC 85, the applicant believes the subject property would be better positioned for development if it had an Industrial designation. A specific user or development plan for Parcel 10 has not been identified.

The applicant also seeks to renumber the parcels so that the parcel numbers are consistent with the parcel numbers used with previously approved preliminary and final subdivision plats. With this change, the parcels would be renumbered as outlined below:

Existing Parcel Number	Proposed Parcel Number
1	1B
2	1A
3	1C, 1E & 1F
4	1D
5	2
6	3
7	4
8	5
9	6
10	7
11	7
12	8
13	9

Staff Analysis and Findings:

The proposed PAD Amendment is consistent with the subject property’s General Industrial land use as designated in the General Plan. This land use is intended for the type of industrial development proposed with this PAD Amendment.

The PAD Amendment to allow industrial development on the subject property will be compatible with the existing and proposed land uses in the surrounding area. To the east and south are existing industrial developments while to the north is a planned commercial development. If the Loop 303 Freeway is constructed within the alignment reflected in the El Cidro Final PAD, as amended, then currently numbered Parcel 13 will cease to exist and currently numbered Parcel 10 will be adjacent to the freeway on the west. If the Loop 303 Freeway is not constructed within the reflected alignment, then both Parcel 10 and a portion of Parcel 13 will be developed as Industrial and will be adjacent to a proposed flood control channel and planned low-density residential on the west.

As such, the intended industrial development of the subject property will not adversely impact any of these surrounding properties since they will be developed with similar land uses and/or intensity or be buffered and screened as required in the Zoning Ordinance.

The renumbering of the parcels will provide consistency between the PAD land use plan and subdivision parcel designations. Stipulation No. 5 in Ordinance No. 10-1215 will be amended by this request such that the reference to the previous parcel numbers will now be revised to reflect the new parcel numbers.

Given the above, staff finds that the proposed PAD Amendment will be consistent with the General Plan and will be compatible with the existing and proposed land uses in the surrounding area.

DEPARTMENTAL/FUNCTIONAL IMPACTS:

Luke AFB Impact:

The subject property is located within the vicinity of a military airport and is approximately five miles from the high noise zone and accident potential zones. It is anticipated that the proposed industrial development of the site will not adversely impact base operations. An existing stipulation requires the property owner and/or developer to inform future purchasers or tenants of base operations and the potential for attendant noise.

Phoenix-Goodyear Airport Impact:

The subject property is located within the Phoenix-Goodyear Airport Traffic Pattern Airspace. The property is located two miles from the 65 Ldn noise contour line. It is anticipated that the proposed industrial development intended for the site will not adversely impact airport operations. An existing stipulation requires the property owner and/or developer to inform future purchasers or tenants of airport operations and the potential for attendant noise.

Electric Impact:

Electric service will be provided by APS. A substation to serve the area within the vicinity of El Cidro is anticipated along Yuma Road, west of Citrus Road, on an APS-owned parcel located within the County.

Fire/Response Times Impact:

The nearest fire station to the subject property is Fire Station No. 4 located at the intersection of Yuma Road and Wildflower Drive/Village Boulevard at a distance of approximately 2.5 miles.

Solid Waste Impact:

Non-residential solid waste collection will be provided by a private contractor.

Stormwater Impact:

The property will be required to retain all stormwater drainage generated by this development on the site. Off-site flows that currently pass through the site will need to be accommodated. Grading and drainage plans and reports will be required with any site plan or subdivision plat application.

Streets/Transportation/Access Impact:

Access to the El Cidro PAD will be provided by Cotton Lane, Lower Buckeye Road, Citrus Road, Elwood Road, and MC 85. Internal circulation will be provided by a system of collector and local roadways. Right-of-way for the future Loop 303 has been preserved and is under the ownership of the City of Goodyear. A traffic impact study will be required with any site plan or subdivision plat application.

Water/Wastewater Impact:

The City of Goodyear will provide water and wastewater service to the areas within the El Cidro Final PAD. Preliminary water and wastewater improvement plans and reports will be required with any site plan or subdivision plat application. Certain limitations on such service will be addressed in the revised development agreement that will be required before development of the subject property can occur.

PREVIOUS ACTION AND DISCUSSION:

Citizen Review Meeting:

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. Staff has not received any public response as a result of this notification.

Planning and Zoning Commission Meeting:

The Planning and Zoning Commission considered this item at its regular meeting of May 15, 2013. The Commission discussed with the applicant the future plans for the property. The applicant responded that negotiations with a potential purchaser were ongoing, and that the purchaser is a developer of industrial properties. The Commission also inquired if Parcel 13 was owned by the City. Staff responded that it was City-owned property. The Commission then took action to forward a recommendation for approval to the City Council with a unanimous (6-0) vote. No one from the public spoke for or against this item.

FISCAL IMPACT:

The future development of the subject property will result in the City receiving construction sales tax revenues.

ATTACHMENTS:

1. Ordinance No. 13-1285
 - Exhibit A to Ordinance No. 13-1285 – Land Use Plan prepared by CVL dated April 8, 2013
2. Aerial Photo Exhibit
3. Project Narrative
4. Existing Land Use Plan
5. Proposed Land Use Plan