

AGENDA ITEM #: _____

DATE: April 13, 2015

COAC #: 15-5576

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: ORDINANCE REZONING 178 ACRES TO THE PRELIMINARY AND FINAL PLANNED AREA DEVELOPMENT DISTRICT FOR ESTRELLA COMMONS.

STAFF PRESENTER: Katie Wilken,
Planning Manager

CASE NO: 12-200-00001

COMPANY

CONTACT: Kelly Hayes, Evergreen
Development

RECOMMENDATION:

1. Conduct a public hearing to consider the rezoning of 178-acres of land to the Preliminary and Final Planned Area Development (PAD) District for Estrella Commons.
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT ORDINANCE NO. 15-1321 CONDITIONALLY REZONING 59.1 ACRES FROM THE PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) DISTRICT TO THE PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) DISTRICT AND REZONING 118.9 ACRES FROM THE FINAL PLANNED AREA DEVELOPMENT (PAD) DISTRICT TO THE FINAL PLANNED AREA DEVELOPMENT (PAD) DISTRICT GENERALLY LOCATED SOUTHEAST OF INTERSTATE 10 AND ESTRELLA PARKWAY AND ADOPTING THE ESTRELLA COMMONS PAD DATED MARCH 13, 2015 WITH MODIFIED RESIDENTIAL DEVELOPMENT STANDARDS TO GOVERN DEVELOPMENT OF THE PROPERTY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

PURPOSE:

This is a request to rezone for 178 acres at the southeast corner of Interstate 10 and Estrella Parkway from the Preliminary and Final Planned Area Development (PAD) zoning district to the Preliminary and Final Planned Area Development (PAD) zoning district to facilitate the development of a development known as Estrella Commons. The Preliminary PAD would apply to the 59.1 acre area of Estrella commons, known as the "District". The Final PAD would apply to the remaining 118.9 acre residential portion. At a public hearing held on March 18, 2015, the Planning and Zoning Commission voted (4-3) to forward a recommendation of approval to the City Council.

BACKGROUND AND COMMUNITY BENEFIT:

HISTORICAL INFORMATION

On October 23, 2006, City Council adopted Ordinance 06-1033 approving the 150-acre Estrella Commons PAD. The Estrella Commons PAD is a planned mixed-use development to include a range of residential densities, commercial, and office uses. On August 28, 2007, City Council adopted Ordinance 07-1083 approving an amendment for the Estrella Commons by adding 1.5 acres to the PAD. On August 25, 2008, City Council approved a two-year time extension of the Final PAD filing date. On December 13, 2010, City Council approved an additional two-year time extension of the Final PAD filing date.

DISCUSSION:

Surrounding Properties:

Land uses surrounding the subject property include the following:

- North – Interstate 10.
- South –Estrella Crossroads commercial center and the Rancho Mirage single-family residential neighborhood.
- East – Bullard Wash.
- West – Estrella Parkway and then the Canyon Trails Plaza Phase II and the Parkway Village commercial center.

Details of the Request:

This is a request to rezone for 178 acres at the southeast corner of Interstate 10 and Estrella Parkway from the Preliminary and Final Planned Area Development (PAD) zoning district to the Preliminary and Final Planned Area Development (PAD) zoning district to facilitate the development of a development known as Estrella Commons. The Preliminary PAD would apply to the 59.1 acre area of Estrella commons, known as the “District”. The Final PAD would apply to the remaining 118.9 acre residential portion.

Single Family Residential - The land use plan includes 118.9 acres of single family residential land use located in the east portion of the development bounded by Interstate 10 to the north, the Bullard Wash to the east, the Rancho Mirage subdivision to the south, and the Estrella Commons multi-family and commercial areas to the west. The residential area includes 365 lots ranging in size from 50-foot wide lots to 70-foot wide lots. The smaller lots have been placed near Interstate 10. A sound wall, minimum of 80-foot buffer, and enhanced landscaping has been provided to buffer Interstate 10 from the residences. A 7.87 acre neighborhood park has been provided in the development that also provides access to the Bullard Wash. Although the zoning ordinance states that common open space useable for recreation or leisure purposes shall constitute not less than seventy-five percent (75%) of residential developments open space requirements, the proposed PAD reduces this to 50%.

Multi-Family Residential – The land use plan includes a 16.1 acre multi-family residential parcel located along Estrella Parkway, north of Fillmore Street. The site will allow for the development of multi-family residential at up to 24 dwelling units per acre (maximum of 386 units).

The District – 59.1 acres of land are designated as “the District” which will allow for the development of commercial areas. Multi-family residential is also allowed in The District. This portion of the PAD is being zoned Preliminary PAD. The development standards and permitted uses will require the submittal of a Final PAD for review and approval by the Planning and Zoning Commission and City Council.

The proposed uses of the District expands upon the commercial uses that are currently allowed under the current Mixed Use PAD for this property and would allow uses that are currently specifically excluded such as pawn shops, second hand stores, pawn shops, flea markets, auto sales and leasing, automotive repair and upholstery, gas stations, car washes, convenience store. It would also certain uses that require use permits under hard zoning to be developed without a use permit.

Analysis and Findings

Although the Estrella Commons PAD application was submitted prior to adoption of the Goodyear 2025 General Plan, a rezone must be found to be in conformance with the General Plan. The proposed Estrella Commons PAD conforms to the land use designation of “Neighborhood” and “Business & Commerce” as shown on the General Plan Land Use and Transportation Plan. There are several development standards that apply to this development. Below is a list of the standards that would apply to the Estrella Commons development. The development does not violate the General Plan but the layout of the site is discouraged by the General Plan.

Standard 25 – Low Density Residential. Single family, detached and attached, residential uses with densities up to 5 dwelling units per acre are appropriate throughout the Neighborhoods category.

The development proposes a density of 3.07 dwelling units per acre and this is appropriate throughout the neighborhoods category.

Standard 28 – Single family residential developments are not appropriate along freeways or abutting industrial areas unless significant buffers are utilized between the uses. Even with significant buffers, locating single family residential developments adjacent to freeways or heavy industrial areas is strongly discouraged.

The development proposes to locate single family residential along Interstate 10 with a sound wall, 80-foot buffer, and additional landscaping as a buffer. A buffer has been provided by the General Plan still discourages locating single family residential near freeways.

Standard 29 – High density residential developments should not be located directly adjacent to single family residential developments with densities under 5 dwelling units per acre unless a public roadway, park or open space area, medium density residential development, or similar features provides a buffer between these uses.

The multi-family development is adjacent to a portion of the single family residential area. Upon the submittal of a site plan, appropriate buffers will be reviewed. A stipulation has been added requiring disclosure of the multi-family development to the single family residences.

Standard 32 – New subdivisions should be designed to provide convenient pedestrian access to adjoining streets, open spaces, and commercial areas. Subdivision design is encouraged that minimizes or avoids the use of typical subdivision perimeter walls. If subdivision walls are proposed, they should include pedestrian access points for pedestrian movement. The pedestrian access points should be strategically located to maximize usage by residents.

Trail access has been provided to the Bullard Wash at the north and central portions of the development. Upon review of the Final PAD for the District, additional appropriate connection points to the commercial areas will be reviewed.

DEPARTMENTAL/FUNCTIONAL IMPACTS:

Phoenix-Goodyear Airport:

The commercial use of the property will not negatively impact the operations at the Phoenix-Goodyear Airport. The property is outside the traffic pattern airspace of the Phoenix Goodyear Airport. The development should have no impact on airport operations.

Luke Air Force Base:

The commercial use of the property will not negatively impact the operations at Luke Air Force Base.

Fire Response:

The subject property will be served by Fire Station No. 184 located at 16161 West Yuma Road, which is approximately 2 miles southwest of the property, or Fire Station No. 185 at PebbleCreek Parkway and Clubhouse Drive which is also approximately 2 miles north of the property.

Electric Impact:

Electric service will be provided by APS.

Schools Impact:

Estrella Commons is located within the Avondale Elementary School District and the Agua Fria Union High School District.

Solid Waste Impact:

Residential solid waste collection will be provided at curbside by the City of Goodyear in accordance with standard solid waste collection policy. Non-residential solid waste collection will be provided by a private contractor.

Stormwater Impact:

The developer 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.

Streets/Transportation/Access Impact:

Access to Estrella Commons will be provided by the adjacent roadways of Estrella Parkway and Van Buren Street. Internal circulation will be provided by a system of collector and local roadways that are proposed as public streets.

Water/Wastewater Impact:

The City of Goodyear will provide water and wastewater service to Estrella Commons.

PREVIOUS ACTIONS AND DISCUSSION:

CITIZEN PARTICIPATION

Citizen Review Meeting:

In accordance with the City's Citizen Review Process, a notice was sent to all surrounding property owners within 500 feet of the subject property. The notice provided details of the PAD rezoning and provided contact information for the public. A Citizen Review Meeting was held on June 3, 2014. Two residents of the Ranch Mirage development to the south were in attendance. The residents voiced a concern about Estrella Commons homes being located immediately adjacent to the north perimeter wall of Rancho Mirage. They suggested a greenbelt rather than additional homes.

Planning and Zoning Commission Meeting:

Notice for the public hearing held before the Planning and Zoning Commission included a legal advertisement placed in the Arizona Republic which appeared on January 30, 2015; a notice mailed to surrounding property owners within 500 feet of the subject property which were mailed the week of January 26, 2015; and two signs posted on the subject property which were posted on February 3, 2015. The original notice stated the public hearing would be held on February 18, 2015. At the meeting held on February 18, the item was continued to the March 18, 2015 Planning and Zoning Commission meeting. By continuing the item to a date specific, the public notice was preserved.

The Planning and Zoning Commission considered this item during their regular meeting of March 18, 2015. The Commission questioned the appropriateness of locating single family residential along Interstate 10 and pointed to Standard 28 of the Goodyear 2025 General Plan. Staff stated that Standard 28 states that single family is discouraged along Interstates and that the Developer has provided justification as to why it is appropriate at the subject property. The Developer stated that access is limited to the site due to the Bullard Wash cutting off Fillmore Road and Roosevelt Street from connecting to Bullard Avenue. Due to this, the viability of other uses such as multi-family or commercial is greatly limited. Furthermore, the Developer stated that they currently have zoning for multi-family at this location and the proposal would lower densities.

There were no members of the public present at the public hearing. The Commission voted by a vote of four to three (4-3) to recommend approval of this item to the City Council.

City Council Meeting:

Notice for the public hearing held before the City Council included a legal advertisement placed in the Arizona Republic which appeared on March 27, 2015; a notice mailed to surrounding property owners within 500 feet of the subject property which were mailed the week of March 23; and two signs posted on the subject property. The notices stated the public hearing would be held on Monday, April 13, 2015.

FISCAL ANALYSIS:

No fiscal impact analysis was performed on this item. The future development of the subject property will result in the City receiving construction sales tax revenues.

ATTACHMENTS:

1. Ordinance 15-1321
2. Exhibit A – Legal Description
3. Exhibit B – Supplementary Zoning Map
4. Exhibit C – City of Goodyear letter dated March 4, 2008
5. Aerial Photo Exhibit
6. Proposed Zoning Plan
7. Conceptual Lot Layout
8. Estrella Commons Preliminary and Final PAD Document
9. Estrella Commons 2006 to 2014 Comparison