

AGENDA ITEM #: \_\_\_\_\_

DATE: May 9, 2016

COAC #: 16-5828

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

**SUBJECT: Rezoning for Sarival East**

**STAFF PRESENTER:** Steve Careccia,  
Planner III

**CASE NUMBER:** 16-200-00001

**APPLICANT:** Troy Mortensen, Project  
Manager, Sunbelt Holdings

**RECOMMENDATION:**

1. Conduct a public hearing to consider approval of a rezoning for Sarival East adopting an Automotive and Related Commercial (ARC) Overlay to the Palm Valley Phase VIII Planned Area Development.
  - a. Open public hearing
  - b. Staff presentation
  - c. Receive public comment
  - d. Close public hearing
2. ADOPT ORDINANCE NO. 16-1332 REZONING APPROXIMATELY SIX ACRES GENERALLY LOCATED NORTH OF INTERSTATE 10 BETWEEN PEBBLE CREEK PARKWAY AND SARIVAL AVENUE AS FOLLOWS: 3.8 ACRES FROM AGRICULTURAL TO PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL WITH AN AUTOMOTIVE AND RELATED COMMERCIAL OVERLAY, 2.2 ACRES FROM PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL TO PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL WITH AN AUTOMOTIVE AND RELATED COMMERCIAL OVERLAY, AND 0.1 ACRE FROM AGRICULTURAL TO PLANNED AREA DEVELOPMENT/MIXED USE COMMERCIAL; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**PURPOSE:**

The proposed request is to rezone approximately six acres of property located north of I-10, between Pebble Creek Parkway and Sarival Avenue, to facilitate the development of a commercial project known as Sarival East. Staff finds that the proposed rezoning will be consistent with the General Plan and will be compatible with the existing and proposed land uses in the surrounding area. The Planning and Zoning Commission recommended approval of this item at their regular meeting of April 20, 2016.

**BACKGROUND AND PREVIOUS ACTIONS:**

The subject property was annexed into the City in 1982 with the adoption of Ordinance No. 82-142.

The Goodyear 2025 General Plan designates the subject property as Business & Commerce. This land use provides areas for the growth and development of the City's economic base including areas for shopping and entertainment.

On May 9, 2005, the City Council approved the Final Planned Area Development (PAD) zoning for Palm Valley Phase VIII with the adoption of Ordinance No. 05-940.

### **CURRENT POLICY:**

Boundaries of zoning districts established by the City may be amended when deemed necessary to best serve the public interest, health, comfort, convenience, safety and general welfare of the citizens of the City. Requests for amendment shall be considered by the Planning and Zoning Commission and City Council at public hearings for which due and proper notice has been provided.

### **DETAILS OF THE REQUEST:**

Land uses surrounding the subject property include the following:

- North – Undeveloped property within Palm Valley Phase VIII zoned Mixed-Use Commercial
- South – Interstate 10
- East – Undeveloped property zoned Agricultural, AG
- West – Undeveloped property within Palm Valley Phase VIII zoned Mixed-Use Commercial

This request is to rezone approximately six acres of property located north of I-10, between Pebble Creek Parkway and Sarival Avenue, to facilitate the development of the property for commercial use. The six acres are a part of a larger 51-acre development being called Sarival East.

Portions of the subject property are located within the existing Palm Valley Phase VIII PAD while other portions are outside of the PAD and zoned Agricultural. The rezoning of the six acres is broken down as follows:

- 3.8 acres from Agricultural to PAD/Mixed Use Commercial with an Automotive and Related Commercial overlay;
- 2.2 acres from PAD/Mixed Use Commercial to PAD/Mixed Use Commercial with an Automotive and Related Commercial overlay; and,
- 0.1 acre from Agricultural to PAD/Mixed Use Commercial.

In accordance with the Palm Valley Phase VIII PAD, the Mixed Use Commercial designation is subject to compliance with the permitted uses and development standards established with the City's General Commercial (C-2) zoning district.

The requested Automotive and Related Commercial (ARC) Overlay will be a new element within the Palm Valley Phase VIII PAD. The overlay will permit additional uses, such as automotive service, repair, body and fender work, along with automotive sales, rental and leasing

permitted within the Mixed Use Commercial designation. As proposed with this request, the descriptive term ‘automotive’ includes automobiles, motorcycles, heavy trucks, boats and recreational vehicles.

The ARC Overlay, while new to Palm Valley Phase VIII, is utilized within the Palm Valley Crossing PAD (Litchfield Road & I-10). The difference with the ARC Overlay proposed within Palm Valley Phase VIII is the allowance for special events and activities related to the operation of an automotive dealership. Such events are proposed to include the following activities:

- Holiday, seasonal and charitable events
- Swap meets
- Open houses
- New owner and customer appreciation events
- Automotive and accessory product shows
- Automotive diagnostic and performance testing
- Live music
- Food vendors

**Phoenix-Goodyear Airport:**

The subject property is located within the Phoenix-Goodyear Traffic Pattern Airspace. Given the location of the property and the commercial nature of the proposed use, airport operations will not be adversely impacted.

**Luke Air Force Base:**

The subject property is located within the vicinity of a military airport. Given the location of the property and the commercial nature of the proposed use, base operations will not be adversely impacted.

**Fire Department:**

Fire response will be provided from Fire Station No. 185, which is located at the southwest corner of Pebble Creek Parkway and Clubhouse Drive. The Station Response Analysis indicates the subject property is within a 4-6 minute response time from Station No. 185.

**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.

**Water/Wastewater/Reclaimed Water:**

Water and wastewater will be provided by Liberty Utilities.

**Streets/Access:**

The subject property will have access via 159th Avenue (public roadway).

## **PUBLIC PARTICIPATION:**

### **Citizen Review Meeting:**

In accordance with the City's Citizen Review Process, a neighborhood meeting was held on Thursday, February 25th. Notice for the meeting included a postcard mailed to the owners of property within 500 feet of the subject property, including the HOAs for Palm Valley and Canyon Trails, and with a legal notice published in the Arizona Republic. No one from the public attended the meeting.

### **Planning and Zoning Commission Meeting:**

Notice for the March 16, 2016 public hearing before the Planning and Zoning Commission included a postcard mailed to the owners of property within 500 feet of the subject property, including the HOAs for Palm Valley and Canyon Trails; a legal notice published in the Arizona Republic; and a notice of public hearing posted on the property.

At the March 16th hearing, the Commission continued the item at the request of the applicant so that the applicant and ADOT could continue to work on regional drainage issues.

The Planning and Zoning Commission considered this item at their regular meeting of April 20, 2016. The Commission unanimously voted (6-0) to forward a recommendation of approval to the City Council. No one from the public spoke on this item.

## **STAFF ANALYSIS:**

Staff finds that the proposed rezoning is consistent with the subject property's Business & Commerce Land Use as designated in the General Plan. This land use is intended for the type of commercial development proposed with this rezoning request.

Properties to the north, east and west are intended for commercial development. Given the commercial nature of the area, the requested rezoning for commercial use will be compatible with these surrounding properties. The nearest residentially-zoned property is within Canyon Trails, which is located to the south of the subject property, across I-10. It is anticipated that the commercial development of the subject property will not affect these residences given the presence of I-10 and the existing sound wall. Residential development within Palm Valley is located approximately 800 feet to the north of the subject property. With other commercial properties proposed in-between the rezone area and the Palm Valley residential, it is anticipated that these residences should not be significantly affected by commercial development constructed in compliance with City standards and stipulations.

With regards to the request to allow special events within the rezone area, staff understands that modern automotive businesses conduct many other activities onsite, beyond the typical sales and servicing normally associated with such businesses, in order to promote their brand and encourage community interaction. Staff finds that these special events/activities can be compatible with the surrounding area as long as appropriate measures to mitigate noise and light spill, for instance, are implemented. As such, to supplement the relevant conditions of approval

included within Ordinance No. 05-940, staff is proposing additional stipulations to further address the potential for noise spill and traffic impacts.

Given the above analysis, including the proposed stipulations of approval, staff finds that the proposed rezoning will be consistent with the General Plan and will be compatible with the existing and proposed land uses in the surrounding area.

**FISCAL ANALYSIS:**

A Fiscal Impact Analysis was not conducted for this item.

**ATTACHMENTS:**

1. Ordinance No. 16-1332
  - Exhibit A – Supplementary Zoning Map No. 16-01
  - Exhibit B – Legal Description
  - Exhibit C – ARC Overlay Permitted Uses
2. Aerial Photo
3. Project Narrative