

AGENDA ITEM #: _____

DATE: August 29, 2016

COAC #: 16-5883

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Special Use Permit to allow the development of a daycare center

STAFF PRESENTER: Alex Lestinsky,
Planner II

CASE NUMBER: 16-350-00003

APPLICANT: Bill Crowley, Site West
Development

RECOMMENDATION:

1. Conduct a public hearing to consider a Special Use Permit for The Learning Experience Daycare Center.
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. Approve a Special Use Permit to facilitate the development of The Learning Experience Daycare Center at the northwest corner of Litchfield Road and Avalon Drive, subject to the following stipulations:
 1. The site plan provided with the Special Use Permit is conceptual in nature and is not approved with this Special Use Permit. Additional comments impacting the layout and design of the site may be identified during the site plan review; and,
 2. The use shall be in conformance with the narrative dated June 3, 2016.

PURPOSE:

The Special Use Permit will allow a daycare use on the northwest corner of Litchfield Road and Avalon Drive. The site is zoned C-O, Commercial Office under the Palm Valley Phase II PAD. Staff finds the proposed request will be compatible with the surrounding area, will not be a detriment to surrounding properties or persons, and will be in conformance with the General Plan. Planning and Zoning Commission recommended approval 6-0 at their regular meeting on August 17, 2016.

BACKGROUND AND PREVIOUS ACTIONS:

The daycare site is being proposed to the southeast of King of Kings Church, on Lot 3 of the Palm Valley Phase II Parcel 2. On August 25, 2014, City Council adopted Ordinance No. 14-1306, which rezoned lots 2 and 3 of the Palm Valley Phase II PAD from PAD Medium Density Residential/Church to C-O, Commercial Office.

CURRENT POLICY:

Daycares, preschools, and child care nurseries are considered a special use in any district because of their unique nature, potential for creating impacts on other uses.

Section 1-3-4 (Special Use Permits) of the Zoning Ordinance provides that Special Use Permits may be approved only upon a finding that the proposed development and/or use reflected in the application submittal for the Special Use Permit:

1. Will be desirable or necessary to the public convenience or welfare; and,
2. Will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites;
3. Is in conformance with the adopted General Plan and any adopted Area Plans; and,
4. Will not be detrimental to surrounding properties or persons in the area due to:
 - a. Impact on the circulation system of the adjacent neighborhood;
 - b. Excessive noise or light generated from within the site;
 - c. Excessive scale or height in relationship to surrounding properties;
 - d. Hours of operation;
 - e. Inadequate parcel size to provide adequate buffers or mitigation measures to surrounding properties;
 - f. Inconsistency with the development character or architecture of the adjacent properties.

DETAILS OF THE REQUEST:

The Learning Experience (T.L.E) Daycare Center is being proposed on the 1.11 acre lot at the northwest corner of Litchfield Road and Avalon Drive. The daycare will include a 9,850 square foot single story building with a 7,500 square foot playground area proposed on the east side. Infants and children between the ages of 6 weeks and 5 years will be cared for between the hours of 6:00AM and 6:30PM.

Surrounding Properties: Land uses and existing zoning surrounding the property include the following:

- North: King of Kings Church
- South: Palm Valley Professional Plaza
- East: Goodyear Community Park
- West: Vacant lot zoned C-O, and residential lots within the Palm Valley Phase II PAD

Fire Department: The subject property is served by Fire Station 183. Response times range from 0-4 minutes.

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/Access: Site access shall be provided from Avalon Drive and alternatively 140th Avenue. The daycare requires parents to park and walk their child into the facility, therefore there will be

no pick-up/drop-off lanes. Adequate parking has been provided as well as a shared parking agreement with the church has been agreed upon.

Community Benefit: The request would allow additional daycare services in Goodyear.

PUBLIC PARTICIPATION:

Citizen Review Meeting: In accordance with the City's Citizen Review Process, a citizen review meeting was held on Wednesday July 27, 2016. Postcards were mailed to property owners within 500 feet of the subject property on July 1, 2016. No citizens attended this meeting and no comments or inquiries have been received by staff in response to this notification.

Planning and Zoning Commission Meeting: The Planning and Zoning Commission meeting was held on August 17, 2016. Notice for this public hearing before the Planning and Zoning Commission included a postcard mailed to property owners within 500 feet of the subject property on July 20, 2016; a legal notice published in the Arizona Republic on July 29, 2016; and a sign posted on the property on August 1, 2016. To date, staff has not received any comments or inquiries regarding the project. No one from the general public spoke out in opposition at the public hearing. The Planning and Zoning Commission voted unanimously 6-0 to recommend approval of the Special Use Permit.

STAFF ANALYSIS:

1. ***Will be desirable or necessary to the public convenience or welfare:*** The Special Use Permit will allow an additional daycare facility to Goodyear.
2. ***Will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites:*** A daycare is a compatible use with a church and the adjacent existing and future office buildings.
3. ***Is in conformance with the adopted General Plan and any adopted Area Plans:*** The Neighborhoods category in the General Plan calls for "complete neighborhoods" which include schools and supportive commercial facilities, therefore, a daycare would be appropriate at this site.
4. ***Will not be detrimental to surrounding properties or persons in the area due to:***
 - a. ***Impact on the circulation system of the adjacent neighborhood:*** The daycare may be accessed by Avalon Drive and 140th Avenue. The church and daycare operate at different times therefore traffic patterns will not be affected.
 - b. ***Excessive noise or light generated from within the site:*** The playground is located on the east side of the building to reduce any noise impact to the residents to the west. The proposed outdoor lighting plan will conform to Zone 2 of the City's lighting ordinance and should not impact adjacent residents.
 - c. ***Excessive scale or height in relationship to surrounding properties:*** The new building height is consistent with the existing school buildings.
 - d. ***Hours of operation:*** The hours of operation are weekdays between 6:00AM and 6:30PM.

- e. ***Inadequate parcel size to provide adequate buffers or mitigation measures to surrounding properties:*** The location and size of the proposed facility will not impact the surrounding properties.
- f. ***Inconsistency with the development character or architecture of the adjacent properties:*** The new building will be designed to be consistent with the architecture and design of the existing church and surrounding commercial and office properties.

FISCAL ANALYSIS:

No fiscal impact is anticipated from this project.

ATTACHMENTS:

- 1. Aerial Photo
- 2. Project Narrative dated 6/3/16
- 3. Conceptual Site Plan
- 4. Conceptual Elevations