

AGENDA ITEM #: _____

DATE: October 3, 2016

COAC #: 16-5905

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: City-initiated rezoning of approximately 40 acres located at the southwest corner of Cotton Lane and Indian School Road

STAFF PRESENTER: Steve Careccia,
Planner III

CASE NUMBER: 16-200-00002

APPLICANT: City of Goodyear Zoning
Administrator

RECOMMENDATION:

1. Conduct a public hearing to consider rezoning approximately 40 acres of City-owned property.
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT ORDINANCE 16-1337 REZONING APPROXIMATELY 40 ACRES OF CITY-OWNED PROPERTY LOCATED AT THE SOUTHWEST CORNER OF COTTON LANE AND INDIAN SCHOOL ROAD FROM THE AG, AGRICULTURAL, AND C-2, GENERAL COMMERCIAL, ZONING DISTRICTS TO THE I-1, LIGHT INDUSTRIAL, ZONING DISTRICT WITH A PLANNED AREA DEVELOPMENT OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

PURPOSE:

The City of Goodyear Zoning Administrator has initiated a rezoning of approximately 40 acres of City-owned property from the AG, Agricultural, and C-2, General Commercial, zoning districts to the I-1, Light Industrial, zoning district with a Planned Area Development (PAD) Overlay. Staff finds the proposed rezoning will be consistent with the Luke Compatible Land Use Overlay and will not adversely impact the surrounding area, as this area is intended for industrial development. The Planning and Zoning Commission considered this item at their regular meeting of September 21, 2016 and unanimously voted (5-0) to forward a recommendation of approval to the City Council.

BACKGROUND AND PREVIOUS ACTIONS:

The subject property was annexed into the City in 1982 with the adoption of Ordinance No. 82-141. The property is currently zoned AG, Agricultural, and C-2, General Commercial.

The subject property is within the Luke Compatible Land Use Overlay as designated in the Goodyear 2025 General Plan. The Overlay protects areas surrounding Luke Air Force Base.

Industrial and warehouse uses are considered appropriate in the Overlay while residential and assembly uses are not considered appropriate.

The subject property was formerly the site of the Duncan Family Farms agribusiness. The agribusiness was in operation from approximately 1991 to 2001. Operation of the agribusiness included educational tours for schools, retail sales, and community festivals onsite. Operations were ceased due to concerns expressed by Luke AFB of having community gatherings within a designated accident potential zone for the base.

A settlement agreement between the city of Goodyear and Duncan Family Farms was approved by the City Council on February 10, 2003, with the adoption of Resolution No. 03-854. The purpose of the agreement was to protect the mission and operation of Luke AFB. Per the terms of the agreement, the City purchased the property from the Duncan family in 2003.

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 impact the surrounding area.

The Zoning Ordinance permits the Zoning Administrator to initiate an amendment to the boundaries of a zoning district for the purposes of rezoning City-owned property.

DETAILS OF THE REQUEST:

The city of Goodyear Zoning Administrator has initiated a rezoning of approximately 40 acres of City-owned property from the AG, Agricultural, and C-2, General Commercial, zoning districts to the I-1, Light Industrial, zoning district with a Planned Area Development (PAD) Overlay. The subject property is located at the southwest corner of Cotton Lane and Indian School Road, and is adjacent to the PV303 PAD. This rezoning is intended to encourage economic development activity on the subject property that is consistent with the industrial development in the surrounding area.

Rezoning: The Zoning Administrator is initiating the rezoning of the subject property from the AG, Agricultural, and C-2, General Commercial, zoning districts to the I-1, Light Industrial, zoning district with a PAD Overlay. The rezoning will permit the property to be developed with the industrial uses, development standards and requirements of the I-1, Light Industrial, zoning district as modified by the PAD Overlay.

The PAD Overlay modifies the uses, development standards, and requirements applicable to the I-1, Light Industrial, zoning district as follows:

- Because the property is located within the Accident Potential Zone II for Luke AFB, the uses allowed on the subject property are limited to the uses allowed in the I-1, Light Industrial, zoning district that are permitted in ARS §28-8481 (J), which establishes regulations and land use compatibility provisions for properties within the vicinity of a

military airport. Attached to this staff report is a copy of the permitted uses allowed in the I-1, light Industrial, zoning district with those uses struck that would not be allowed under ARS § 28-8481. This list has been reviewed and accepted by Luke AFB as noted in the attached letter from James R. Mitchell, Director, Community Initiatives Team.

In addition to modifying the permitted uses, the PAD Overlay modifies the maximum building height within the property, increasing it from 50 feet to 75 feet or five stories, whichever is less. The additional height is requested to accommodate warehouse and distribution buildings, which are permitted in the I-1, Light Industrial, zoning district, but which may require additional interior clear-story height for storage and operational purposes. Such modification would be consistent with the building heights allowed on other industrial properties in the area, including those areas within the APZ II for Luke AFB. Finally, to ensure design consistency with the adjacent PV303 PAD, the PAD Overlay adopts the Architectural Design Standards from the PV303 Master Design Guidelines and Comprehensive Sign Program dated October 1, 2007.

Surrounding Properties:

Existing land uses and zoning surrounding the subject property include:

- North – Property utilized for agricultural purposes within the Ten303 Business Park PAD and City-owned properties zoned I-2, General Industrial.
- South – Property utilized for agricultural purposes within the PV303 PAD Phase VI.
- East – Cotton Lane and property utilized for agricultural purposes within the PV303 PAD Phase V.
- West – Property utilized for agricultural purposes within the PV303 PAD Phase VI.

Phoenix-Goodyear Airport:

The subject property is located approximately five miles from the airport. Development of the subject property will not adversely impact airport operations.

Luke Air Force Base:

The subject property is located within the vicinity of Luke Air Force Base. The property is specifically located in Accident Potential Zone II. Luke AFB has reviewed the application and commented that any use of the property will need to comply with State Statutes regarding development within the vicinity of a military airport.

Fire Department:

The Station Response Analysis indicates the property is within a 4-6 minute response time from Fire Station No. 185 located at the intersection of Pebble Creek Parkway and Clubhouse Drive.

Police Department:

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

Water/Wastewater/Reclaimed Water:

The subject property is located within the water and wastewater service area of Epcor Water, a private utility provider.

PUBLIC PARTICIPATION:

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 did not receive any public inquires as a result of this notice.

Planning and Zoning Commission Meeting:

The Planning and Zoning Commission considered this item at its regular meeting of September 21, 2016. The Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council. There was no opposition to the request voiced at the public hearing.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property; a legal notice published in the Arizona Republic on September 2, 2016; and a notice of public hearings sign posted on the property. To date, staff has not received any public inquires on this request.

STAFF ANALYSIS:

Staff finds the proposed rezoning will be consistent with the Luke Compatible Land Use Overlay. The proposed industrial zoning permits development that will be compatible with the flying operations at Luke AFB. The proposed overlay to allow additional building height will not adversely affect Luke AFB, as the requested 75-foot maximum height is already permitted within the adjacent PV303 PAD, and has been deemed acceptable by the AFB. Staff further finds that the proposed rezoning will not adversely impact the surrounding area as this area is intended for industrial development, with several industrial uses already developed and in operation.

FISCAL ANALYSIS:

A fiscal analysis was not conducted for this item.

ATTACHMENTS:

1. Ordinance No. 16-1337
 - a. Supplementary Zoning Map No. 16-02
 - b. Legal Description
2. Aerial Photo
3. Land Use Map
4. Zoning Map
5. Luke Air Force Base APZ II Map
6. Letter from James R. Mitchell, Director, Community Initiatives Team, Luke AFB dated September 14, 2016
7. I-1, Light Industrial, Zoning District Use List