

AGENDA ITEM #: _____

DATE: March 27, 2017

COAC #: 17-6030

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Amendment to the PV303 PAD to update development standards and to change the land use on four parcels from General Commercial to Light Industrial

STAFF PRESENTER: Steve Careccia,
Planner III

CASE NUMBER: 16-210-00009

OTHER PRESENTER: Troy Mortensen,
Sunbelt Holdings

PROPOSED ACTION:

1. Conduct a public hearing to consider an amendment to the PV303 Planned Area Development.
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT RESOLUTION NO. 17-1796, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORDS THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED PV303 PLANNED AREA DEVELOPMENT DATED FEBRUARY 2017 AND THAT CERTAIN DOCUMENT TITLED PV/303 UNDERLYING ZONING DATED JANUARY 13, 2017.
3. ADOPT ORDINANCE NO. 17-1346 AMENDING THE FINAL PLANNED AREA DEVELOPMENT (PAD) ZONING FOR THE PV303 PAD TO ADOPT THE PV303 FINAL PLANNED AREA DEVELOPMENT DATED FEBRUARY 2017 AND THE PV/303 UNDERLYING ZONING DATED JANUARY 13, 2017; TO CHANGE THE LAND USE ON FOUR PARCELS FROM C-2, GENERAL COMMERCIAL, TO I-1, LIGHT INDUSTRIAL; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR CORRECTIONS; SEVERABILITY; AN EFFECTIVE DATE; AND PENALTIES.

BACKGROUND AND PREVIOUS ACTIONS:

The Land Use and Transportation Map of the Goodyear 2025 General Plan designates the subject properties as Business & Commerce and Industrial. The properties are located within the Luke Compatible Land Use Overlay, which is intended to protect the continued mission of Luke AFB. In accordance with State Statutes governing uses located near the base, industrial and warehouse uses are generally considered appropriate in the Overlay while residential and assembly uses are not considered appropriate.

Palm Valley 303 consists of Phases I through VI. It has been the subject of a number of re-zoning ordinances. Phases II through VI, which includes the Property being rezoned, were conditionally rezoned by Ordinance No. 2007-1097 from Agricultural Zoning District to the Final PAD District subject to the Palm Valley 303 Final PAD Development Plan dated November 28, 2007 (“2007 Development Plan”). Phases I and II were subsequently conditionally rezoned by Ordinance No. 2011-1243 to bring Phase I within the PV 303 PAD and to modify the 2007 Development Plan to allow roll-up doors in certain circumstances. The boundaries of Phase II and Phase III were modified by Ordinance 12-1266 in which 7.1 acres that had been in Phase II were included in Phase III and re-zoned from general commercial district to light industrial district. Ordinance 15-1318 modified the 2007 Development Plan to increase the maximum allowed building heights within certain Phases of Palm Valley 303.

This specific item has not been previously before the Planning and Zoning Commission or City Council.

STAFF ANALYSIS:

Current Policy

A request to amend the land uses established within 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.

Surrounding Area

North – Properties within Maricopa County utilized for agricultural purposes; Camelback Road; and the Arizona Motorsports Park and Luke AFB.

South – PebbleCreek and Palm Valley; properties utilized for agricultural purposes; and a State corrections facility.

East – PebbleCreek and Palm Valley.

West – Cotton Lane and Citrus Road; property utilized for agricultural purposes; and future industrial properties within the Ten303 Business Park PAD.

Details of the Request

the current request is to adopt the PV303 Planned Area Development dated February 2017, which incorporates all the amendments to the PV303 Final PAD Development Plan dated November 28, 2007 and rezone the land use on four parcels of land totaling 246 acres, legally described in Exhibit B attached hereto and incorporated herein, from C-2, General Commercial, to I-1, Light Industrial. Given the restrictions on allowed uses for properties within the vicinity of Luke AFB, the applicant has indicated that the highest and best use of the subject properties is for industrial use. The four parcels proposed to be amended include:

- 32 acres at southeast corner of Sarival Avenue & Camelback Road (East III)
- 65 acres located at northeast corner Loop 303 & Indian School Road (East II)
- 124 acres at southwest corner Loop 303 & Indian School Road (West II)
- 25 acres at southeast corner Citrus Road & Indian School Road (West III)

The development standards and allowed uses for these properties are established in the PV303 Planned Area Development dated February 2017. Per the 2017 PAD, light industrial properties comply with the City's I-1, Light Industrial, zoning district and general commercial properties comply with the City's C-2, General Commercial, zoning district except as expressly modified within the 2017 PAD. All uses have been established so as to be in conformance with State Statutes regarding allowable uses near Luke AFB. The 2017 PAD that will apply to the Property being rezoned has been reformatted but it is consistent with the Palm Valley 303 Final PAD Development Plan dated November 28, 2007 as it has been amended.

General Plan Conformance

East II, East III & West II

These three parcels are designated as Business & Commerce on the General Plan Land Use Map. This designation allows for a mix of commercial, office and light industrial uses. The proposed I-1, Light Industrial, zoning district is compatible with the Business & Commerce land use designation. The following General Plan Development Standards are applicable to the Business & Commerce land use designation:

Development Standard 37 – Light industrial uses such as warehousing or distribution centers are appropriate throughout the Business & Commerce category but should be buffered from residential uses.

The proposed Light Industrial land uses are buffered from residential by several roadways within the area. The Loop 303 provides a large buffer between the West II parcel and PebbleCreek. The East II parcel is separated from PebbleCreek by Indian School Road and an approximately 80-foot wide landscape and drainage area adjacent to the street. There are no residential areas directly adjacent to any of the amendment parcels.

Development Standard 38 – Land uses that create significant noise, glare, air contaminants, etc. are not appropriate in this category and should be located within the Industrial category.

General Industrial uses are not proposed with this PAD Amendment. The amendment is only proposing Light Industrial uses. These types of uses include warehouse/distribution and office, which are generally indoor uses that do not emit significant noise, glare, light, etc.

West III

The West III parcel is designated as Industrial on the General Plan Land Use Map. This designation allows for light and general industrial uses. The proposed I-1, Light Industrial, zoning district is compatible with the Industrial land use designation. The following General Plan Development Standards are applicable to the Industrial land use designation:

Development Standard 43 – General industrial uses are appropriate within the Industrial category and should be buffered from residential uses and commercial assembly, entertainment, and retail uses.

While General Industrial uses are appropriate in this category per the General Plan, only light industrial uses will be proposed with this PAD Amendment.

Development Standard 44 – Office, warehousing, and other light industrial uses are appropriate throughout the Industrial category and should be used to provide a buffer between higher intensity uses within the Industrial category and other land use categories.

Per the General Plan, light industrial uses can be an appropriate buffer between general industrial uses and other land uses, such as residential and commercial. This is because light industrial uses typically include office, warehousing and other indoor uses that do not emit large amounts of noise, light or atmospheric pollutants. The PAD Amendment only proposes light industrial uses. As such, the General Plan provides guidance that these light industrial uses may be located adjacent to existing or planned residential and commercial uses in the surrounding area.

Development Standard 46 – Industrial land uses are encouraged to locate within and adjacent to the Luke Compatible Land Use Overlay and the 65 DNL noise contour of the Phoenix-Goodyear Airport to protect the Phoenix-Goodyear Airport and Luke Air Force Base from encroachment, and to capitalize on these major assets.

The West III parcel is located within the Luke Compatible Land Use Overlay. The request to change this parcel to light industrial would further the objective of this development standard of protecting Luke AFB by removing the potential for retail and assembly uses near the base.

Development Standard 47 – Industrial land uses are encouraged to locate adjacent to high capacity roadway corridors (freeways, railroads, parkways, arterials) to leverage high visibility and vehicular access.

The West III parcel is located adjacent to Indian School Road, which is designated as an arterial roadway of regional significance. The parcel is also located approximately one mile from the Loop 303 freeway, which may be accessed via Indian School Road. As such, the parcel is appropriately located to take advantage of these high capacity roadways while not directing traffic into residential areas.

Luke Air Force Base

The subject property is located within the vicinity of a military airport. Portions of the PV303 PAD are located within APZ I and APZ II and the 65 Ldn noise contour. All land uses within the PAD are required to adhere to State Statutes regarding allowable uses near Luke AFB (A.R.S. § 28-8461).

Per the PV303 PAD, no building will be permitted within APZ I unless agreed to in writing by Luke AFB. Development may occur in APZ II, but this will generally be limited to light industrial uses. Residential development is not permitted within the 65 Ldn and higher noise contours, and no residential development is proposed in the PV303 PAD.

Phoenix-Goodyear Airport

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

Fire Department

The closest City of Goodyear fire station to the PV303 PAD is No. 185, which is located at the southwest corner of Pebble Creek Parkway and Clubhouse Drive. The Station Response Analysis indicates the closest portions of the PAD are within a 0-4 minute response while the farthest areas are within a 4-6 minute response.

Police Department

The PV303 PAD is located within existing patrol beats and the current level of service within these beats can accommodate the development of the property.

Transportation

An existing freeway (Loop 303) is located within the area and bisects the PV303 PAD. As a result, the PAD has several points for accessing the freeway. Local roadways within and surrounding the PAD will be improved as adjacent development occurs.

Water and Wastewater

For the PV303 PAD, Epcor and Liberty Utilities are the potable water service providers while the city of Goodyear and Liberty Utilities are the wastewater service providers.

Public Participation

A citizen review meeting was held on February 15, 2017. Two people attended the meeting. Questions on allowed uses, truck traffic and building height were discussed. Staff also received an inquiry from a resident of PebbleCreek opposed to additional truck traffic on Indian School Road. Notice of the citizen review meeting included a notice mailed to all property owners within 500 feet of the amended parcels and with a legal notice placed in the Arizona Republic.

Notice for the February 22nd Planning and Zoning Commission and March 27th City Council public hearings for this item included a legal notice placed in the Arizona Republic; a sign posted on each of the four parcels being amended; and a notice mailed to all property owners within 500 feet of the amended parcels. Notice was also sent to the PebbleCreek, Palm Valley and Sedella HOAs.

The Planning and Zoning Commission considered this item at their regular meeting of February 22, 2017. Three members of the public attended the meeting. One of the attendees inquired about property they owned at the northeast corner of Indian School Road and the Loop 303, within the PV303 PAD. Per the PV303 Comprehensive Sign Package, their property is slated for a Feature Project Identification Sign (see attached). The speaker asked how the taller buildings in the proposed I-1, Light Industrial, zone would affect the PAD monument sign intended for their property. Staff responded that the current application is for a change of land use and did not involve the review of specific building heights and site plans. However, staff responded that modifications to a sign package may be proposed, and recommended that the relevant parties meet to discuss any

such proposals at a pre-application meeting. The Commission voted 4-0 to forward a recommendation of approval to the City Council.

Staff did receive additional public comment after the Commission's February 22nd public hearing. Most of the comments were received from residents living in or near Sedella, with several other comments received from residents of PebbleCreek and Palm Valley. The public comments all expressed concerns and/or opposition to the proposed amendment. The predominant concern included the expansion of warehousing near residential areas and the additional traffic and noise that would be generated by such expansion. Many of the residents stated that commercial uses would be preferred over the additional warehousing.

In response to the concerns and questions brought by the residents, staff thought it would be beneficial to conduct additional public outreach meetings. The City's Topics on the Move van (TOM van) was deployed on Saturday, March 18th from 8-10 AM and on Wednesday, March 22 from 5-7 PM. The Tom van was located near the intersection of Sarival Avenue and Sells Drive in order to make it convenient for the residents to stop by, get information and ask questions. At the March 18th meeting, staff met with approximately 10-15 residents. Of those attendees, three were opposed to the PAD Amendment while the rest were seeking information. At the March 22nd meeting, staff met with approximately 12 people. Of those attendees, three were opposed and concerned about negative environmental impacts such as noise, truck traffic and diesel fumes. The other attendees were primarily interested in learning more about the request. Staff also attended the Sedella HOA annual meeting on Monday, March 20th at Verrado High School. Approximately 30-35 residents were in attendance. Staff provided an overview of the PAD Amendment request and answered questions. Of those attendees, approximately 7-8 were opposed to the request.

As a result of some of the feedback received from residents, staff has recommended two stipulations of approval that will address development located at the intersection of Indian School Road and Citrus Road. Stipulation No. 3 from Ordinance No. 17-1346, as noted below, will encourage the location of office and business elements at the intersection, along with the use of human-scale building elements such as courtyards, trellises and arcades. Stipulation No. 4, as noted below, will require an enhanced landscape buffer along the edge of the intersection with a width of at least 40 feet. This buffer will provide a significant softening of the intersection edge by providing a significant tree canopy and contoured landscape. The applicant is in acceptance of these stipulations.

3. Industrial development that occurs at the southeast corner of Citrus Road and Indian School Road is strongly encouraged to plan for business and office elements along the western façade of planned building(s). When the building facades facing said intersection contain offices or business elements, the design should include the predominant use of glass and canopy elements along with human-scale pedestrian entrances and courtyards. If the office or business elements are not located at the defined intersection, then the building shall be architecturally enhanced using a variety of colors, textures, construction materials, and human-scale embellishments such as cantilevers, trellises, arcades, and other similar techniques;
4. The developer shall provide enhanced landscape buffers at the southeast corner of Indian School Road and Citrus Road. The enhanced landscaping should extend from the intersection

corner to the first full-access driveway into the adjacent industrial property. The buffers shall have a minimum depth of 40 feet as measured from the property line, and include enhanced plantings and berms/mounding. The buffers may provide retention at a maximum depth of three feet for the adjacent half-street retention, and may include any on-site retention per design engineers and approved by the city of Goodyear Engineering Department. Any on-site retention areas located in the 40-foot buffer shall be harmoniously landscaped and follow the design theme of the buffer and will include trees. The maximum height of any wall (not including signage) within the enhanced landscape buffer shall be three feet, and any walls taller than three feet shall be located outside of the buffer;

RECOMMENDATION:

Staff finds that the requested PAD amendment is consistent with the General Plan Land Use designations for the subject properties and with the Luke Compatible Land Use Overlay. The Light Industrial land use is intended for the type of industrial uses allowed within the PV303 PAD. Light industrial uses are also compatible with the Business & Commerce General Plan Land Use as this land use category allows offices, warehouses and other light industrial uses. Industrial uses further the protection of Luke AFB as these uses generally do not involve large assemblies of people living or working near the base.

Land surrounding the amendment areas predominately includes existing and future commercial and industrial uses, and also includes the Loop 303 freeway corridor. These commercial and industrial uses will be compatible with the additional light industrial uses proposed with this PAD Amendment and should therefore not be adversely impacted.

PebbleCreek, Palm Valley and Sedella are the largest residential communities near the amendment area. However, these communities should not be adversely impacted by the proposed amendment as they are separated from the PV303 PAD by existing roadways and other buffers. The Loop 303 provides a large separation (+/-400 feet) between the West II amendment area and PebbleCreek; Indian School Road (+/-200 feet) and Sarival Road (+/-100 feet) provide separations between the East II amendment area and PebbleCreek and Palm Valley; and Indian School Road/Citrus Road, as well as a planned commercial parcel, provide a separation of over 1,300 feet between the West III amendment area and Sedella. Roadways in the area have been constructed with existing development and future development will be required to construct adjacent roadways and necessary utilities. It is anticipated that traffic generated by businesses within the amendment areas will utilize the adjacent arterial roads for direct access to the Loop 303, and will not be circulating into any of the residential areas. To further aid in wayfinding, the applicant intends to place directional signage at their driveways and at other strategic locations to direct truck traffic to the freeway. Staff is also recommending that enhanced building facades and landscaping be provided at the intersection of Indian School Road and Citrus Road to help mitigate any effects of the new light industrial area on the Sedella community. As such, it is expected that these communities will not be adversely affected by development constructed in compliance with the PV303 PAD and other applicable standards and design guidelines.

Given the above, staff and the Planning and Zoning Commission find the proposed amendment to the PV303 PAD will be consistent with the General Plan and will be compatible with the existing and proposed land uses in the surrounding area.

ATTACHMENTS:

1. Ordinance No. 17-1346
 - a. Exhibit A – Supplementary Zoning Map 16-09A
 - b. Exhibit B – Legal Descriptions
2. Resolution No. 17-1796
3. Aerial Photo
4. Land Use Map
5. Zoning Map
6. Project Narrative
7. PV303 PAD Development Parameters and Uses February 2017
8. PV303 Underlying Zoning Exhibit January 13, 2017
9. PV303 Comprehensive Sign Package, Sign Type 1.E