

AGENDA ITEM #: _____

DATE: April 19, 2017

COAC #: N/A

**CITY OF GOODYEAR
PLANNING & ZONING COMMISSION ACTION FORM**

SUBJECT: Planned Area Development Amendment to amend the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines	STAFF PRESENTER: Karen Craver, AICP Planner III CASE NUMBER: 16-210-00004 OTHER PRESENTER: Ed Bull, Burch & Cracchiolo, P.A. representing Communities Southwest
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PROPOSED ACTION:

1. Conduct a public hearing to consider a request for a Planned Area Development Amendment to amend the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines, located on the east side of Estrella Parkway, from north of W. Goodyear Boulevard S., south to the intersection of Estrella Parkway and Bullard Avenue.
 - a) Open public hearing
 - b) Staff presentation
 - c) Receive public comment
 - d) Close public hearing

OPTION 1:

2. Recommend rezoning approximately 254.5 gross acres located on the east side of Estrella Parkway, from North of W. Goodyear Boulevard S, south to the intersection of Estrella Parkway and Bullard Avenue by amending the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines in accordance with that certain document titled Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017, subject to the following stipulations:
 - a. Prior to presenting this re-zoning to the Mayor and Council, the Ballpark Village & Ballpark Village – South (Restated & Amended Final PAD) dated April 5, 2017 shall be revised to delete the following narrative: “Due to the RES category’s proximity to the Complex and Goodyear Ballpark, “restricted parking” signage will be required as part of the community’s signage plan in order to address non-resident parking with the RES category while limiting the time and/or duration of resident parking within the Wood Boulevard street side parking spaces (exact language and location of signage will be coordinated with the City’s Parks & Recreation Department during the Final Plat/Final Site Plan approval process).

- b. Development of the Property shall be in substantial conformance with the Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017 including the concept plans, development standards and design guidelines contained therein except as otherwise provided by any stipulations herein.
- c. Except for the terms in Section 5.1 of the Amended and Restated Development Agreement Ballpark Village (North Parcel) recorded in the official records of Maricopa County as instrument 2012 0724688 (“Section 5.1”), which requires the development of parking facilities for private development in accordance with the parking requirements of the Zoning Ordinance as modified by Table 4.2.2 in the existing PAD for the Property, nothing in the rezoning provided herein shall be construed or considered to amend or affect the terms and conditions of the Settlement Agreement and Release dated July 6, 2011 and the exhibits thereto by and between M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, as amended on August 1, 2012, by Amendment No. 1 to Settlement Agreement and Release by and between BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, and the Settlement Agreement dated March 5, 2012, by and between MPK Enterprises, Inc., Wood Family Enterprises Ltd., Swansea Properties, LLC, Eagletail Bighorn, LLC, Margaret M. and Shelby A. Carl, Sharon M. and Ken R. Wood, Clarence Wood, M&I Regional Properties, LLC, BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank and the City or any terms of any conveyance document or agreement to which the City is a party related to parking to support the Ballpark and the Ballpark Development Complex. Section 5.1 no longer has any effect because the parking requirements for Ballpark Village have been amended by Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017, and Table 4.2.2 is no longer part of the PAD zoning for the Property.
- d. Notwithstanding anything to the contrary in the Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated April 5, 2017, City parking standards for residential development shall apply within the RES category unless the Mayor and Council of the City of Goodyear approves a zoning amendment to amend such standards pursuant to a third party parking consultant’s data based study and letter of recommendation supporting lower parking/dwelling unit ratios and/or parking related design standards that has been approved by the Zoning Administrator.

OPTION 2:

- 2. Recommend rezoning approximately 254.5 gross acres located on the east side of Estrella Parkway, from North of W. Goodyear Boulevard S, south to the intersection of Estrella Parkway and Bullard Avenue by amending the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines in accordance with that certain document titled Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017 subject to the following stipulations:

- a. Prior to presenting this re-zoning to the Mayor and Council, the Ballpark Village & Ballpark Village – South (Restated & Amended Final PAD) dated April 5, 2017 shall be revised to delete the following narrative: “Due to the RES category’s proximity to the Complex and Goodyear Ballpark, “restricted parking” signage will be required as part of the community’s signage plan in order to address non-resident parking with the RES category while limiting the time and/or duration of resident parking within the Wood Boulevard street side parking spaces (exact language and location of signage will be coordinated with the City’s Parks & Recreation Department during the Final Plat/Final Site Plan approval process).
- b. Development of the Property shall be in substantial conformance with the Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017 including the concept plans, development standards and design guidelines contained therein except as otherwise provided by any stipulations herein.
- c. Except for the terms in Section 5.1 of the Amended and Restated Development Agreement Ballpark Village (North Parcel) recorded in the official records of Maricopa County as instrument 2012 0724688 (“Section 5.1”), which requires the development of parking facilities for private development in accordance with the parking requirements of the Zoning Ordinance as modified by Table 4.2.2 in the existing PAD for the Property, nothing in the rezoning provided herein shall be construed or considered to amend or affect the terms and conditions of the Settlement Agreement and Release dated July 6, 2011 and the exhibits thereto by and between M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, as amended on August 1, 2012, by Amendment No. 1 to Settlement Agreement and Release by and between BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank, M&I Regional Properties, LLC, and the City, and the Settlement Agreement dated March 5, 2012, by and between MPK Enterprises, Inc., Wood Family Enterprises Ltd., Swansea Properties, LLC, Eagletail Bighorn, LLC, Margaret M. and Shelby A. Carl, Sharon M. and Ken R. Wood, Clarence Wood, M&I Regional Properties, LLC, BMO Harris Bank, Successor by Merger to M&I Marshall & Ilsley Bank and the City or any terms of any conveyance document or agreement to which the City is a party related to parking to support the Ballpark and the Ballpark Development Complex. Section 5.1 no longer has any effect because the parking requirements for Ballpark Village have been amended by Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017, and Table 4.2.2 is no longer part of the PAD zoning for the Property.
- d. Notwithstanding anything to the contrary in the Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated April 5, 2017, City parking standards for residential development shall apply within the RES category unless the Mayor and Council of the City of Goodyear approves a zoning amendment to amend such standards pursuant to a third party

parking consultant's data based study and letter of recommendation supporting lower parking/dwelling unit ratios and/or parking related design standards that has been approved by the Zoning Administrator.

- e. Notwithstanding anything to the contrary in the Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village-South dated April 5, 2017, a drive-through may be considered through a use permit subject to the following conditions:
 - i. A drive-through may only be considered on the northeast corner of Lower Buckeye Road and Estrella Parkway.
 - ii. No curb cuts are allowed onto Estrella Parkway.
 - iii. A patio that is at least 1,200 square feet in size must be provided that is designed to be prominent toward Estrella Parkway and the Ballpark.
 - iv. The drive-through window and ordering menu may not face Estrella Parkway.
 - v. The drive-aisle may not be located between the building and Estrella Parkway, it must be located in the back of the building and not be substantially visible from Estrella Parkway.
 - vi. Enhanced architectural design and landscaping must be provided on the site, as determined by the Zoning Administrator during the use permit review.
 - vii. Enhanced pedestrian connections shall be provided to connect the Ballpark site and nearby residential property as determined by the Zoning Administrator during the use permit review.

BACKGROUND AND PREVIOUS ACTIONS:

The Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines was approved by the City Council on May 29, 2007, with the adoption of Ordinance No. 07-1073. The approval established the Final Planned Area Development (PAD) Zoning District on 242 acres located on the east side of Estrella Parkway, from north of W. Goodyear Boulevard S., south to the intersection of Estrella Parkway and Bullard Avenue. The PAD and Design Guidelines facilitated the development of the Goodyear Ballpark, the Cleveland Indians Development Complex, and the Cincinnati Reds Development Complex. To date, no additional development has occurred within the PAD.

In December of 2014, Communities Southwest (CSW), a Scottsdale development company, purchased all non-City owned property within the PAD. In July of 2016, CSW submitted a PAD Amendment application intended to establish a replacement PAD and Design Guidelines for all of the property within the original PAD, including undeveloped City-owned property and a parcel adjacent to the Ballpark recently purchased by a local hotel developer.

The proposed PAD amendment has not previously been before the Planning & Zoning Commission.

STAFF ANALYSIS:

Current Policy

A request to amend an approved PAD must be processed as a rezoning request, which requires public review and approval by the Planning and Zoning Commission and the City Council. The proposed amendment must be consistent with the General Plan and should not adversely impact the surrounding area.

Surrounding Area

North: The approved undeveloped southeast quadrant of the City Center PAD

South: The Imsamet metal recycling facility

East: The approved undeveloped City Center Airpark PAD and the Phoenix-Goodyear Airport

West: The Estrella Vista single family neighborhood and the approved undeveloped SunDS Farms PAD.

Details of the Request

The request from CSW to amend the original PAD, by replacing it with the Ballpark Village & Ballpark Village - South Restated & Amended Final Planned Area Development dated April 5, 2017, includes the following proposals:

- The deletion of the existing Business/Office Park zoning categories from the area formerly known as Wood Corporate Campus
- The creation of three residential zoning categories – RES 1, RES 2, and RES 3 – in the area formerly known as Wood Corporate Campus
- The addition of residential housing and ownership types not previously permitted
- The creation of development standards for the new residential housing types
- The creation of design guidelines for the new residential housing types
- The RES overlay designation of a city-owned overflow parking lot south of Lower Buckeye Parkway

The applicant's attached Supplemental Narrative dated April 5, 2017, provides detailed information on the request.

Currently, the original PAD includes:

- Business/Office Park zoning categories west of the development complexes, between Wood Boulevard and Estrella Parkway, allowing:
 - Flex industrial and 1 to 3-story office buildings
 - 2 to 6-story office buildings
 - 7 to 9-story office buildings
- No residential development west of the development complexes

Amendment Evaluation

In considering the deletion of the existing Business/Office Park zoning categories, staff determined that:

- The existing zoning has generated no business/office park development inquiries since the zoning was approved in 2007
- The General Plan designates the area as Business/Commerce, which also allows high density residential development
- The MXD zoning category in Ballpark Village allows office buildings and office uses
- The proposed amendment is consistent with the City Center Specific Area Plan

In considering the creation of the RES – residential zoning categories, staff determined that:

- There have been numerous inquiries about residential development of the property since it was offered for sale
- The Business/Commerce designation allows high density residential development in order to support the commercial, entertainment, and public & community facilities within the designation
- The Avondale Elementary School District has the existing capacity to accommodate the projected 123 to 313 students
- The Agua Fria Union High School District will have the capacity to accommodate the projected 71 to 208 students upon the opening of the district's 5th high school in August 2018
- The proposed open space areas; a 2.5-acre central active amenity space, two smaller pocket parks, and multiple exercise station nodes, all of which will be connected by pedestrian circulation trails, will exceed the Parks Master Plan required 5 acres of Neighborhood Park space for new residential development

In considering the addition of residential housing and ownership types not previously permitted, staff determined that:

- The addition of row homes, flats/stacked flats, green court/alley loaded homes, auto-court homes, and courtyard homes, for sale or for rent, will create an instant uniqueness that will draw current and new Goodyear residents to Ballpark Village - South
- The density of these types of homes; from 5 to 10, from 6 to 15, and from 8 to 30 dwellings/acre, will result in a population base that will attract the commercial and entertainment development around the Ballpark that was originally intended
- Ballpark Village is within the Transit Oriented Development Overlay as designated by the General Plan. The TOD Overlay encourages mixed use developments and higher density residential uses (GP Standard 56 and 58)

In considering the creation of development standards for the new residential housing types, staff determined that:

- The development standards that will allow the construction of row homes, flats/stacked flats, green court/alley loaded homes, auto-court homes, and courtyard homes must be significantly different than the city's standard 60' x 100' lots with 20-foot front & rear setbacks, 15-foot total side setbacks, and maximum 30-foot building heights

- In order to provide a unique single family product, while creating the density to attract the commercial and entertainment development desired around the Ballpark, much of the single family product will be attached, and some product will be stacked as well, utilizing the proposed maximum allowed height of 42 feet
- The General Plan discourages low density, detached, single-family development within the TOD Overlay (GP Standard 58)

In considering the creation of design guidelines for the new residential housing types, staff determined that:

- Not only are product type and density essential to drawing in the population base that will attract the commercial and entertainment development around the Ballpark, but unique design is essential as well
- In order to create the contemporary and urban-like design theme proposed for Ballpark Village – South, the design standards must be significantly different than the city’s standard requirement of 5 floor plans, 3 elevations per plan, and 2 different roof tiles per plan
- Because much of the housing product will be attached, the contemporary and urban-like design theme will actually be accomplished through repetition of building form and roof planes, while architectural enhancements will occur through articulation of wall planes, projections and recesses to create shadow and depth, and simple and bold forms
- Many of the architectural features and design elements of the contemporary and urban-like design theme of Ballpark Village – South will reflect the architectural features and design elements of the Ballpark and the development complexes

In considering the RES overlay designation of a city-owned overflow parking lot south of Lower Buckeye Parkway, staff determined that:

- Should future private development create replacement parking around the Ballpark, the city-owned property would already be designated for residential development and could easily be incorporated into Ballpark Village - South

In considering adding “drive-through” as a use that may be considered by use permit in the MXD (mixed use) designation, staff determined that:

- The Goodyear General Plan Transit Development Overlay standard #59 states: Automobile-oriented uses that are designed without regard to pedestrians (e.g., fast food drive-through, gas station) large parking lots facing the street, and other features that inhibit walkability are discouraged in the TOD Overlay.
- The current Ballpark Village PAD does not permit a drive-through, not even by use permit
- Although Ballpark Village is not part of the City Center Specific Area Plan, that plan does not permit a drive-through, not even by use permit.
- Both the original Ballpark Village PAD and the City Center Specific Area Plan intended for this area of the city to be unencumbered by the traffic, noise, and visual glare associated with a drive-through.
- Proposed development within Ballpark Village has always been evaluated by how the development would enhance the goal of bringing people and activity to Ballpark Village.
- A drive-through will not bring people and activity to Ballpark Village.

Impact to City Services

Fire Response:

The Ballpark Village & Ballpark Village - South site is served by Fire Station #184/#181, located at 16161 W. Yuma Road, near Sarival Avenue. Emergency response times and distances are below.

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/#181	3.39	1.70	4.83	2.42	Station #185	8.95	4.47	10.39	5.19

Police Services:

The subdivision is located within an existing police patrol beat and the current level of service within the beat can accommodate the development of the property. The Development Review Committee Police Department representative has made CSW aware of the increased traffic and parking that occurs on Wood Boulevard during Spring Training and other large events. CSW was also made aware of the traffic management operations that occur on Wood Boulevard in order to transport players and staff between the development complexes and the Ballpark.

Water & Wastewater:

The subdivision will be served by city of Goodyear water and wastewater utilities.

Stormwater:

A storm water management system will be developed for Ballpark Village - South to accommodate the drainage needs of the residential property and the run-off from the adjacent half-streets, in accordance with City of Goodyear Engineering Design Standards. A storm water management system for Ballpark Village and the development complexes is in place.

Streets/Access:

The primary entrance into Ballpark Village – South will occur off of Estrella Parkway at an existing median break aligned with Lower Buckeye Road on the west side of Estrella. This intersection will be signalized when warranted. Two additional access points off of Estrella, to the north and south of the primary entrance, will be right-in/right-out only. Two optional entry points into Ballpark Village – South may occur off of Wood Boulevard near each of the development complexes. The final location of all access points will be determined during plat and/or site plan review and approval.

Solid Waste/Recycling:

In accordance with city of Goodyear standard solid waste collection policy, future commercial and multi-family development will contract with a private solid waste hauler. Future single family development will be served by the city.

Fiscal Impact:

Although a financial analysis has not been prepared for this PAD Amendment, future commercial development will generate construction and retail sales tax. Future residential

development will also generate construction sales taxes, as well as create the customer base for the future commercial development.

Public Participation

Pursuant to the Citizen Review process, a neighborhood meeting was held on December 20, 2016. Postcards were sent to the owners of all property within 500 feet of the boundaries of the PAD Amendment request informing them of the meeting. A public notice was also placed in the Southwest Edition of the Arizona Republic. Five residents of the Estrella Vista single family neighborhood attended the meeting. Although they had no concerns regarding the addition of single family residential to Ballpark Village – South, they did have concerns regarding the potential of crime being brought into their neighborhood from the multi-family residential.

Planning & Zoning Commission and City Council

A second postcard was recently sent to an updated list of property owners informing them of the scheduled April 19, 2017, public hearing before the Planning & Zoning Commission, and the scheduled May 8, 2017, public hearing before the City Council. The postcard also provided city and applicant contact information, and the city website link to information on the proposed project. A second public notice was also placed in the Southwest Edition of the Arizona Republic. To date, the Planning Division has received no inquiries as a result of the second postcard or public notice.

RECOMMENDATION:

Pursuant to the evaluation of the proposed amendment, staff recommends the approval of the conditional rezoning of the Property by amending the existing PAD (Planned Area Development) as enacted by Ordinance No. 07-1073 in accordance with that certain document titled Ballpark Village & Ballpark Village - South Restated & Amended Final PAD dated April 5, 2017 subject to stipulations. There are two options for approving the PAD.

Option 1: Approve the PAD as it is currently drafted.

Option 2: Approve the PAD subject to one additional stipulation which would allow a drive-through subject to additional design criteria.

ATTACHMENTS:

1. Aerial Photo Exhibit
2. Ballpark Village & Ballpark Village - South Restated & Amended Final Planned Area Development dated April 5, 2017
3. Ballpark Village & Ballpark Village - South Design Guidelines dated April, 2017
4. Ballpark Village & Ballpark Village - South Restated & Amended Final PAD Supplemental Narrative dated April 5, 2017