

AGENDA ITEM #: _____

DATE: May 22, 2017

COAC #: 17-6059

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Amendment to the PV303 PAD
Phase West I development parameters

STAFF PRESENTER: Karen Craver, AICP
Planner III

CASE NUMBER: 17-220-00002

OTHER PRESENTER: John Lee, Electric
Guard Dog LLC, representing Dick's
Sporting Goods

PROPOSED ACTION:

1. Conduct a public hearing to consider an amendment to the PV303 PAD Phase West I.
 - a) Open public hearing
 - b) Staff presentation
 - c) Receive public comment
 - d) Close public hearing
2. ADOPT RESOLUTION NO. 17-1802 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED "PV303 PAD DEVELOPMENT PARAMETERS AND USES DATED APRIL 12, 2017".
3. ADOPT ORDINANCE NO. 17-1348 PROVIDING FOR AN AMENDMENT TO THE DEVELOPMENT PARAMETERS APPLICABLE TO I-1 LIGHT INDUSTRIAL DEVELOPMENT WITHIN PHASE WEST I OF THE PV303 FINAL PLANNED AREA DEVELOPMENT (PAD), GENERALLY LOCATED BETWEEN SR 303 ON THE EAST AND COTTON LANE ON THE WEST AND BETWEEN CAMELBACK ROAD ON THE NORTH AND INDIAN SCHOOL ROAD ON THE SOUTH, AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR, PROVIDING FOR CORRECTIONS, SEVERABILITY, NON-ABRIDGEMENT, AN EFFECTIVE DATE, AND PENALTIES.

BACKGROUND AND PREVIOUS ACTIONS:

The property subject to the PV 303 Final PAD consists of six phases; West I, West II, West III, East I, East II, and East III was conditionally rezoned by Ordinance No. 2007-1097 from the Agricultural Zoning District to the Final PAD District on November 28, 2007. There have been numerous amendments since 2007; the most recent being an amendment that changed the land use of four parcels that was approved by Council on March 27, 2017, with the adoption of Ordinance No. 17-1346.

This specific PAD Amendment has not previously been presented to the City Council.

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: Camelback Road and unincorporated Maricopa County

South: Indian School Road and PV303 PAD Phase West II

East: SR 303 and PV303 PAD Phases East I & II

West: Cotton Lane and approved but undeveloped Industrial PADs

Details of the Request

Phase West I within the PV 303 Final PAD is located between SR 303 on the east and Cotton Lane on the west, and between Camelback Road on the north and Indian School Road on the south, is where the majority of the PV303 development has occurred. The existing industrial businesses, including SubZero, Dick's Sporting Goods, and REI, all maintain large valuable inventories. As such, Dick's Sporting Goods (DSG) contacted Electric Guard Dog (EGD) regarding installing electric security fencing at its facility.

Currently, the City Code prohibits electric fencing, unless allowed by zoning. Therefore, DSG contacted the other businesses within Phase West I, as well as Sunbelt Holdings, regarding initiating a PAD amendment to the development parameters for Phase West I to allow electric security fencing.

The EGD fencing DSG is considering will consist of three strands of wire strung between metal poles mounted on the inside of the existing 8-foot perimeter wall. The wire extends approximately two feet above the top of the perimeter wall. The system operates off a 12 volt battery with a capacitor that ramps up to 7,000 volts. After the 4th negative pulse, an alarm also goes off. Signage is also placed on the fencing to warn potential perpetrators that the electric security fencing is in use. The EGD fencing is not intended to injure, but to act as a deterrent. Based on the details of the request and the information received, the development parameters for I-1 Light Industrial within Phase West I would be amended to add the following:

Electric fencing may be approved and permitted to be attached to the interior of a perimeter wall surrounding a structure for which a certificate of occupancy has been issued subject to the following:

- All proposed electric security fencing within PV303 PAD Phase West I shall be submitted to the city of Goodyear Building Safety Division for review, approval, and permitting prior to installation; and

- The electric fence shall be integrated into the design of the building site perimeter wall and it cannot be substantially visible from an arterial street; and
- The combined height of the perimeter wall and the attached electric fence shall not exceed ten (10) feet.

Amendment Evaluation

The proposed PAD Amendment to the development parameters for Phase West I within the PV 303 Final PAD has been consented to by the other property owners within Phase West I and will not be injurious to the surrounding neighborhood or detrimental to the public welfare.

In addition to first being reviewed, approved, and permitted by the city Building Safety Division, the installation of the fencing will not have a negative visual impact on the industrial business that utilizes it, nor on the surrounding properties and neighborhood.

A mock-up of the electric security fencing is in place at the entrance to the DSG truck yard on Minnezona Avenue, off of Cotton Lane, should the Commission wish to view the installation. Pictures of that mock-up are also included in the attached Narrative & Photos.

Impact to City Services

Fire Response:

Although the use of electric security fencing is not expected to impact fire response, PV303 PAD Phase West I is served by Fire Station #185, located at 15875 W. Clubhouse Drive. 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
#185	4.68	2.34	6.43	3.22	#183	8.99	4.49	10.73	5.37

Police Services:

The use of electric security fencing at PV303 PAD Phase West I is expected to deter activities that would have an impact on police services.

Both the Police Department and the Fire Department were consulted regarding the request to use electric fencing, and the departments voiced no concerns with the fencing as proposed.

Other City Services:

No other City services are expected to be impacted.

Fiscal Impact:

There is no fiscal impact expected from the use of electric security fencing.

Public Participation

As allowed by the Citizen Review process, a neighborhood meeting was not held as all property within Phase West I within the PV 303 Final PAD and all properties within 500 feet of Phase West I are also zoned PAD with underlying I-2 zoning. Instead of a meeting, postcards were sent to the Phase West I property owners, and the owners within 500 feet, notifying them of the PAD Amendment request and of the scheduled public hearings before the Planning & Zoning Commission and the City Council. The postcard also provided city and applicant contact information, and the city website link to information on the proposed project. To date, the Planning Division has received no inquiries as a result of the postcard.

Additional notice for the April 19, 2017, Planning and Zoning Commission meeting and the May 8, 2017 Council meeting included a legal notice placed in the Arizona Republic and a sign posted on the Phase West I property. To date, staff has not received any inquiries as a result of the additional notification.

Planning & Zoning Commission Meeting

Following a presentation by staff, at their April 19, 2017, meeting the Planning and Zoning Commission voted unanimously (6 to 0) to recommend approval of the PAD Amendment. No member of the public attended the Commission meeting.

RECOMMENDATION:

Pursuant to the evaluation of the proposed amendment, staff recommends approval of the amendment to the development standards for I-1 Light Industrial within Phase West I of the PV303 Final PAD in accordance with that certain document titled the PV303 PAD Development Parameters and Uses dated April 12, 2017, subject to one stipulation.

ATTACHMENTS:

1. Resolution No. 17-1802
Exhibit A - PV303 PAD Development Parameters and Uses dated April 12, 2017
2. Ordinance No. 17-1348
Exhibit A – Supplementary Zoning Map
Exhibit B – Legal Description
3. Aerial Photo Exhibit
4. DSG/EGD Narrative & Photos

Internal Review

<input checked="" type="checkbox"/> Legal Review Complete	Date: <u>4/21/2017</u>	Reviewed By: <u>Sarah Chilton, Assistant City Attorney</u>
<input checked="" type="checkbox"/> Finance Review Complete	Date: <u>4/21/2017</u>	Reviewed By: <u>Development Continuum Standard Item</u>