

AGENDA ITEM #: \_\_\_\_\_

DATE: August 9, 2017

COAC #:17-6073

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

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**SUBJECT: Vistas at Palm Valley Final  
Planned Area Development**

**STAFF PRESENTER:** Joe Schmitz, Long  
Range Planner

**CASE NUMBER:** 16-210-00005

**OTHER PRESENTER:** Ed Bull, Burch &  
Cracchiolo, P.A. representing Meritage  
Homes

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**PROPOSED ACTION:**

1. Conduct a public hearing to consider a request to rezone a portion of the Palm Valley Phase II Final Planned Area Development (PAD) to the Vistas at Palm Valley Final PAD (This item was postponed at the June 13, 2017 Planning & Zoning Commission meeting.)
  - a. Open Public Hearing
  - b. Staff Presentation
  - c. Applicant Presentation (10 minutes)
  - d. Receive Public Input (3 minutes per speaker)
  - e. Applicant Response (3 minutes)
  - f. Close Public Hearing, Commission Motion, Discussion, and Vote
  
2. Recommend to City Council approval of the Final PAD zoning for approximately 53.6 acres generally located at the southwest corner of Palm Valley Boulevard and Litchfield Road for a project to be known as Vistas at Palm Valley, as set forth in the attached draft Ordinance 17-1351 and stipulations.

**BACKGROUND AND PREVIOUS ACTIONS:**

The first phase of the Palm Valley Master Planned Community was initially zoned in 1989 under the Litchfield Phase I Preliminary Planned Area Development which covered 1,475 acres located between Dysart Road and Bullard Avenue from the I-10 Freeway north to Thomas Road. The Litchfield Phase I Final PAD zoning was approved for the property by Ord. No. 91-443 in October 1991, Ord. No. 92-473 in November 1992. When the first subdivision plats were subsequently approved in 1993, the project was renamed Palm Valley with the property east of Litchfield Road designated Phase I and the property west of Litchfield Road designated Phase II.

The Palm Valley Phase II Final PAD has been amended several times since its original approval in 1992. The rezoning of 84 acres in the Palm Valley Phase II Final PAD was approved on September 22, 2003 by Ord. No. 03-873 which changed the zoning on four parcels:

1. A 42-acre parcel located north of McDowell Road and east of 145<sup>th</sup> Avenue to allow Medium Density Residential which is developed with 128 single family homes known as the Camelot at Palm Valley subdivision;
2. A 24-acre parcel located north of McDowell Road occupied by the Palm Valley Golf Driving Range;
3. A two-acre parcel located on the west side of Litchfield Road (2000 Litchfield Road) to allow the Marriott Residence Inn hotel; and,
4. A 16-acre parcel located north of Palm Valley Boulevard to allow 84 zero lot line single family homes known as the Cottages at Palm Valley subdivision.

The subject property consists of 53.6 acres located at the southwest corner of Palm Valley Boulevard and Litchfield Road and is made up of two parcels: 1) Parcel A is 20.7 acres. Parcel A is currently occupied by four holes of the Palm Valley Golf Club and is zoned Open Space/Golf Course by the Palm Valley Phase II PAD; and 2) Parcel B is 32.9 acres. Parcel B is the location of the former Palm Valley Golf Driving Range and is currently zoned Mixed Use Commercial by the Palm Valley Phase II PAD.

### **STAFF ANALYSIS:**

#### **Current Policy**

A request to amend an approved PAD or rezone property from one zoning district to another zoning district requires a public hearing and recommendation by the Planning and Zoning Commission and approval by the City Council. The proposed amendment to the PAD or change in zoning should be consistent with the General Plan and should not adversely impact the surrounding area.

#### **Surrounding Area**

North - Golf course holes and an irrigation lake owned by the Palm Valley Golf Club and single family homes in the Cottages at Palm Valley (5.22 du/ac) designated Medium Density Residential.

East – Golf course club house and commercial uses including the Marriot Residence Inn, Hampton Inn, several restaurants and a Montessori school designated Mixed Use Commercial.

South- Palm Valley Office Park, Great Hearts School and Liberty Utilities Palm Valley Water Reclamation Facility designated Mixed Use Commercial and Public Facilities District.

West – Single family homes in Camelot at Palm Valley (3.05 du/ac) and in Palm Valley Phase 2, Parcel 10 (3.10 du/ac), golf course holes for the Palm Valley Golf Club and the Palm Valley Community Center designated Medium Density Residential.

#### **Details of the Request**

The request from Meritage homes seeks to amend the Palm Valley Phase II Final PAD and rezone 53.6 acres from Golf Course/Open Space (20.7 acres in Parcel A) and Mixed Use Commercial (32.9 acres in Parcel B) to the Vistas at Palm Valley PAD to develop 87 (now 86) single family detached homes on 60-foot wide lots (7,200 sq.ft.in area) in Parcel A and 106 attached single family homes arranged in duplex or triplex buildings on lots ranging from about 36 to 47 feet wide (3,800 to just under 5,000 sq. ft. in area) in Parcel B, with some modified development standards for both parcels with respect to minimum required front, side and rear setbacks. The applicant also has proposed that five of the proposed attached units (one duplex and one triplex) will be

located in Parcel A near the primary entrance to the development as part of a model home complex bringing the total number of these types of units to 111 and the total number of units in the entire project to 198 (now 197). Additional details of the request can be found in the Final PAD document and the Narrative for the project.

The applicant has proposed that this will be a gated community with the primary entrance through Parcel A from a driveway on Palm Valley Boulevard located west of Litchfield Road and east of 142<sup>nd</sup> Avenue which is the entrance to the Cottages at Palm Valley. A second access gate will be located on the east side of Parcel B and will connect to Litchfield Road by way of a private driveway located between the Hampton Inn and the Macaroni Grill.

Part of the existing golf facility, which is an 18-hole short course called “The Lakes Course” located within Parcel A (a 1.2-acre irrigation lake, four holes, a putting green and a restroom building), will be removed and the 14 remaining holes will be reconfigured into a nine-hole championship course. Parcel B is the former golf driving range and netting and poles on this site will be removed, except for three poles located at the southwest corner of the site upon which wireless communication facilities are located. If those facilities are ever discontinued, the proposed Medium Density Residential designation would allow development of additional duplex or triplex units in conformance with the development standards of the Vistas at Palm Valley Final PAD.

A 30-foot wide open space buffer is proposed along the eastern and southern edges of the development to separate the project from the existing or planned commercial uses on the adjacent properties. The project also is separated from the single family residential development to the west by an existing drainage channel which after additional improvements will be 90 to 105 feet wide at its narrowest points.

**General Plan Conformance:**

A request to amend the land uses within an approved PAD or a proposed change in zoning must be consistent with the General Plan and should not adversely impact the surrounding area.

***Land Use and Transportation Map Designation***

The property is designated “Neighborhoods” by the General Plan which allows for a variety of residential densities and ancillary uses such as neighborhood commercial, schools, and parks. The PAD is consistent with the land use map designation.

***Development Standard 3:*** *New developments shall demonstrate that there are adequate services and facilities, or plans to provide the necessary services and facilities, to serve the development during the development approval process.*

**Water/Wastewater:**

Water and wastewater will provided by Liberty Utilities by connection to existing utilities in the area. Adequate infrastructure and capacity are available to the site.

**School Districts:**

City regulation requires adequate public facilities, which embodies schools. Historically the developer and the school systems come to an “off-line” agreement on voluntary financial contribution to help offset upfront financial impacts of an increased student population created by proposed development. In this particular case the contribution agreement has yet to have been made between the developer and the school system. The City does not require payments to be made and does not have jurisdiction over funding school facilities. The City’s scope is to learn from both the developer and school system if adequate public facilities exist. The City has reached out to school system to determine if adequate public facilities are available to the project. Staff has not received a written response but the affected school districts have been notified of this public hearing.

**Parks and Open Spaces:**

The PAD section of the Zoning Ordinance requires a minimum open space of 15% for lots between 5,500 and 7,000 sq. ft. The Vistas at Palm Valley PAD includes 26.4% open space, not including the private streets. There are two tot lots planned in this development, one in each parcel. There is pedestrian connectivity throughout the project and the applicant has contacted the Palm Valley HOA about potential annexation to the HOA which would include access to the adjacent Palm Valley Community Center.

**Streets and Access:**

As noted in the description of the request, this project is intended to a gated community with the primary entrance through Parcel A from a driveway on Palm Valley Boulevard. A second access gate will be located on the east side of Parcel B and will connect to Litchfield Road at a private driveway located between the Hampton Inn and the Macaroni Grill. The Traffic Impact Study for the proposed development indicates that at build out condition, a traffic signal may be warranted on Litchfield Road. In addition, the intersection of Litchfield Road with the existing driveway lacks a right-turn lane for southbound traffic on Litchfield Road which does not meet current City standards. Staff is recommending that the applicant be required to participate in the cost of a traffic signal based on the amount of traffic projected to be generated by this development (16% of the total cost of a traffic signal) and that a right-turn lane be installed on Litchfield Road.

**Fire Service:**

The Vistas at Palm Valley will be served by Fire Station #183 which is 1.03 to 1.47 miles away with support from Fire Station #185 which is 3.27 to 3.63 miles away. The response time from Fire Station #183 is calculated to be 2.06 to 2.93 minutes and the response time from Fire Station #185 is calculated to be 6.55 to 7.26 minutes.

*Development Standard 10: Notification and disclosure statements are required for any residential development within the Luke Air Force Base “Vicinity Box”, as amended, consistent with the Western Maricopa/Luke Air Force Base County Regional Compatibility Plan, March 2003.*

**Luke Air Force Base:**

The subject property is located within the territory in the vicinity of a military airport, but is about 2.75 miles from the 65 Ldn noise contour line and the Accident Potential Zones

for Luke AFB. It is anticipated that the proposed development of the property will not adversely impact base operations, nor will the subject property be adversely impacted. A stipulation requires the developer to disclose to future residents the proximity of the property to Luke AFB and the potential for attendant noise impacts.

**Phoenix-Goodyear Airport:**

The subject property is located within the Phoenix-Goodyear Airport Traffic Pattern Airspace. The property is located approximately 1.0 mile from the 60 Ldn noise contour line. It is anticipated that the proposed development of the property will not adversely impact airport operations, nor will the development be adversely impacted. A stipulation requires the developer to inform future residents of airport operations and the potential for attendant noise and is included in the recommendation for this Amendment.

*Development Standard 25: Low Density Residential. Single family, detached and attached, residential uses with densities up to 5 dwelling units per acre are appropriate throughout the Neighborhoods Category.*

The proposed PAD is consistent with this Development Standard as the density of Parcel A is 2.8 dus/ac and the density of Parcel B is 5.1 dus/ac with an overall density for the project of 3.7 dus/ac.

*Development Standard 31: Pedestrian and bicycle connections shall be provided to internally and externally link residential uses to nearby commercial uses, schools, parks, other neighborhoods, and other important destinations by walking or biking.*

The proposed development plan includes central open spaces that are linked by pedestrian trails to each other. The project is located about 2/3<sup>rd</sup> of a mile southwest of the Goodyear Community Park at Litchfield Road and Avalon Drive and also about 2/3<sup>rd</sup> of a mile southwest of the Palm Valley Elementary School.

**Fiscal Impact:**

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the City. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the City through payment of permits, construction sales tax and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, state shared revenues and the demand for commercial and retail development. This impact will be somewhat less since the streets will be privately owned and maintained.

**Public Participation**

*Neighborhood Meeting:*

The applicant hosted an informal neighborhood meeting in October 2016 to introduce the project to the owners of the adjacent property. In accordance with the Citizen Review Process, a formal neighborhood meeting was held on Tuesday, May 2, 2017. Notices were mailed to property owners within 500 feet of the subject property and to the homeowners association on April 17, 2017. An advertisement was placed in the Arizona Republic on April 14, 2017. About two dozen residents were present at that meeting who asked questions and expressed concerns about traffic, loss of open space, impact of two-story structures and view fences on existing development, drainage, and any future plans for conversion of more of the golf course.

*Planning and Zoning Commission Meeting:*

A public hearing was held before the Planning and Zoning Commission at its regular meeting held on June 14, 2017. The public hearing initially had been advertised for the May 17 meeting, but the applicant requested a postponement to provide additional time to revise the proposal to address some of the comments received. A notice of public hearing appeared in the Arizona Republic on May 26, 2017; a notice of public hearing postcard was mailed to surrounding property owners within 500-feet of the subject property on or about May 5, 2017 advising them of the new public hearing date; and one sign was posted on the property on May 5, 2017 and updated with the revised hearing date on May 26, 2017. To date, City staff has not received any direct communication from the public regarding this project.

At the June 14, 2017 public hearing held before the Planning and Zoning Commission, several residents of Palm Valley Phase 2 and 3 appeared and objected to the proposed rezoning due to concerns about traffic, density and loss of open space. At the request of the applicant, the Commission voted to postpone the case to a future date uncertain.

The applicant subsequently requested that this matter be reconsidered by the Commission at its regular meeting to be held on August 9, 2017.

A new legal notice of public hearing, as well as a display ad, for the August 9, 2017 public hearing appeared in the Arizona Republic on July 21, 2017; a notice of public hearing postcard was mailed to surrounding property owners within 500-feet of the subject property and those who had appeared at the previous public hearing on or about July 21, 2017 advising them of the new public hearing date; and a sign was posted on the property at the SWC of Litchfield Road and Palm Valley Boulevard on July 24, 2017 with a revised hearing date of August 9.

It should be noted that between the last public hearing and the upcoming public hearing on August 9, City staff has received seven phone calls (Chuck Campbell, Bruce Varner, Paul Loncar, Andy Prince, Judy Davis, a Mrs. Hines, and Maurice Stewart) expressing objections to the proposed rezoning. Staff also received two emails in support of the proposed rezoning from David Laskos and Gretchen Monthie and four emails in opposition from Robert Merino, Theresa Schmotzer, Lynn Goeglein and Rodger Brumbaugh (copies attached).

On July 20, 2017, the applicant submitted a revised site plan and conceptual landscape plan which included the following changes:

1. Lot 69 which was closest to the SWC of Litchfield Road and Palm Valley Boulevard was deleted from the plan to provide more open space at this intersection which reduced the total number of lots to 197;
2. A gated pedestrian access point and path was added from the cul-de-sac between Lots 68 & 70 to the sidewalk on Palm Valley Boulevard;
3. A gated pedestrian access point and path was added from the cul-de-sac between Lots 56 & 57 to the cart path leading to the sidewalk on Litchfield Road;
4. A gated pedestrian access point and path was added from the cul-de-sac between Lots 104 & 105 to the cart path leading to the sidewalk on Litchfield Road;
5. Added more trees and plant material along the eastern and southern sides of the project adjacent to the existing and planned commercial properties; and,
6. Added a plan sheet to the Conceptual Landscape Plan set which provided a detail of the rear emergency access to be provided to the middle unit of the triplex structures.
7. Added restrictions to the site plan indicating that the homes along Palm Valley Boulevard and Litchfield Road will be single story, as will Lots 15-17 and Lots 143-156 along the western boundary of the project.

The PAD document has been revised to reflect these changes and is dated July 27, 2017. Staff has reviewed the proposed changes and determined that they have include the recommendations made by staff and address some of the concerns cited by neighboring property owners.

*Neighborhood Meeting – August 2, 2017:*

The applicant hosted another neighborhood meeting on Wednesday, August 2, 2017 to review the changes that had been made the applicant to the development plan. The applicant mailed a notice of the meeting to property owners within 500 feet of the subject property and other interested parties on July 24, 2017. About 36 residents attended the meeting. According a report provided by the applicant, the comments were generally positive, however, there were a few persons who objected to the loss of the golf course; questioned the quality of the housing product; and expressed concerns about the potential for an increase in crime and devaluation of existing homes.

**RECOMMENDATION:**

Staff finds that the proposed Vistas at Palm Valley PAD is consistent with the subject property's Neighborhood land use designation in the Goodyear 2025 General Plan and will be compatible with the surrounding area. This project offers standard detached single family homes, but also provides housing product variety in the form of duplex and triplex buildings. This medium density housing product is similar to the density of neighboring residential areas; will serve as a transition from the lower density product to the west to the commercial uses along Litchfield and McDowell Roads; and will provide additional housing units that can support the adjacent

commercial area. For these reasons, staff is recommending approval of the proposed Vistas at Palm Valley Final PAD as described in the Final PAD document dated July 27, 2017.

**ATTACHMENTS:**

1. Aerial Photo
2. Resolution No. 17-1803
  - A. Vistas at Palm Valley Final Planned Area Development dated July 27, 2017
3. Ordinance No. 17-1351
  - A. Exhibit A – Supplementary Zoning Map 16-05A
  - B. Exhibit B – Legal Description
4. Vistas at Palm Valley – Narrative
5. Minutes from June 14, 2017 Planning & Zoning Commission Meeting
6. Copies of Correspondence Received
7. Revised Site Plan and Conceptual Landscape Plan Set dated July 20, 2017
8. Summary of August 3, 2017 Neighborhood Meeting