

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

DATE: October 23, 2017

CAR #: 17-6154B

**CITY OF GOODYEAR  
COUNCIL ACTION REPORT (CAR)**

<b>SUBJECT: Amendment to the Estrella Commons Planned Area Development</b>	<b>STAFF PRESENTER:</b> Steve Careccia, Planner III  <b>CASE NUMBER:</b> 17-210-00015  <b>APPLICANT:</b> Paul Gilbert, Beus Gilbert PLLC
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**PROPOSED ACTION:**

1. Conduct a public hearing to consider an amendment to the Estrella Commons Planned Area Development (PAD).
  - a. Open public hearing
  - b. Staff presentation
  - c. Receive public comment
  - d. Close public hearing
2. ADOPT RESOLUTION NO. 17-1826 DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND TITLED “ESTRELLA COMMONS PLANNED AREA DEVELOPMENT DATED AUGUST 9, 2017”.
3. ADOPT ORDINANCE NO. 17-1368 CONDITIONALLY AMENDING THE ESTRELLA COMMONS PLANNED AREA DEVELOPMENT BY REZONING APPROXIMATELY 22.7 ACRES TO FINAL PLANNED AREA DEVELOPMENT TO AMEND THE LAND USE DESIGNATION FOR THE APPROXIMATE 22.7 ACRES TO MULTI-FAMILY RESIDENTIAL; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

**BACKGROUND AND PREVIOUS ACTIONS:**

The General Plan Land Use Plan designates the subject property as ‘Business & Commerce’ and ‘Neighborhoods’. The ‘Business & Commerce’ land use category includes areas for commercial and entertainment uses along with multi-family residential uses. The ‘Neighborhoods’ land use category provides areas for the growth and development of neighborhoods having a wide range of densities and housing types.

The Estrella Commons PAD is a planned mixed-use development that includes a range of residential densities, commercial, and office uses. The PAD is generally located between I-10 and Van Buren Street, east of Estrella Parkway. The zoning history of the PAD includes:

- On October 23, 2006, the City Council adopted Ordinance No. 06-1033 approving the rezoning of 30 acres to the Preliminary PAD zoning district and 150 acres to the Final PAD

zoning district to facilitate residential development within a project known as Estrella Commons. (A portion of the subject property was included in this Ordinance)

- On August 27, 2007, the City Council adopted Ordinance No. 07-1083 rezoning eight acres from General Commercial, C-2, to Final PAD. The eight acres was included in the District land use, which allows for a mix of commercial and residential uses. The Ordinance also amended 1.5 acres of the Final PAD from a single family land use to the District land use to allow for additional mixed-use and commercial development. (A portion of the subject property was included in this Ordinance)
- On August 25, 2008, the City Council approved a two-year time extension for the filing of the Final PAD for those portions still designated as Preliminary PAD.
- On June 28, 2010, the City Council adopted Ordinance No. 10-1220 approving an amendment to the Estrella Commons Final PAD designating a 2.3-acre parcel from a single family land use to the District land use. (A portion of the subject property was included in this Ordinance)
- On December 13, 2010, the City Council adopted Ordinance No. 10-1229 approving an additional two-year time extension for the filing of the Final PAD for the 30 acres of property still zoned Preliminary PAD.
- On April 13, 2015, the City Council adopted Ordinance No. 15-1321 to: (1) rezone 118.9 acres to Final PAD to facilitate single family and multi-family development on the property and (2) rezone 59.1 acres to Preliminary PAD and designate with the District land use.

### **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 in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance.

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

The request is to rezone approximately 22.7 acres to Final PAD to facilitate multi-family development of the subject property. Within the Final PAD, the property will be given a land use designation of Multi-Family Residential (MFR).

The subject property was originally intended to be developed as part of the mixed-use District land use designation. However, instead of a mix of uses, the property owner would like to develop the entire approximate 22.7-acre property with a single use (multi-family development). The proposed development plan (Exhibit T) is attached. As noted on the exhibit, the net density is proposed at 12.75 dwelling units per acre.

Development standards specific to the subject property have been included in Exhibit K, Multi-Family Residential Standards, Table 2. Per these proposed standards, the maximum density would be 14 dwelling units per acre. The maximum building height would be 20 feet, and buildings would be limited to single-story. The new development standards noted in Table 2 are specific to the subject property, and will not apply to any other multi-family parcel or development within Estrella Commons.

**Evaluation Criteria:**

Per the city of Goodyear Zoning Ordinance, the City's review and recommendation on a zoning amendment is to be guided by the following criteria:

*1. Consistency with the General Plan.*

The General Plan calls for connectivity and integration between adjacent land uses:

General Plan 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.

General Plan Standard 40

Walking and biking should be accommodated and encouraged by providing trails, bike lanes, sidewalks, and paths to allow for safe pedestrian movement.

The Estrella Commons PAD currently proposes a north-south trail and other neighborhood connections through the subject property. However, with this PAD amendment, future plans for the property include a private multi-family development with walls and gates. As such, the north-south trail and neighborhood connections points will be eliminated. Therefore, to maintain and provide for neighborhood connectivity for this project and projects to the north, the PAD amendment will be stipulated to provide a pathway along the western and southern perimeter of the project. This pathway will provide pedestrian and bicycle connectivity between the existing and future residential and commercial uses within Estrella Commons.

*2. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district.*

The subject property is currently irrigated farm field. The property's physical and natural features are suitable for the proposed Final PAD and multi-family use as the property will be required to be graded and developed in accordance with all applicable engineering design guidelines and standards.

*3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.*

Uses and development surrounding the subject property include:

North – Future single family and multi-family development within the Estrella Commons PAD.

South – Existing commercial and existing single family development (Centerra).

East – Existing single family development (Rancho Mirage).

West – Existing commercial development and Estrella Parkway.

The multi-family use proposed with this Final PAD will be compatible with the development in the surrounding area. The multi-family units will be limited to single story buildings, and the development will provide a buffer between the commercial uses along Estrella Parkway and the Rancho Mirage neighborhood.

4. *Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under the proposed zoning district would be better suited to the subject property than the uses allowed under the current zoning.*

Luke Air Force Base:

The subject property is located within the vicinity of a military airport. Given the location of the subject property, base operations will not be adversely impacted by this proposed multi-family development.

Phoenix Goodyear Airport:

The subject property is located within the Phoenix Goodyear Traffic Pattern Airspace. Given the location of the property, airport operations will not be adversely impacted by this proposed multi-family development.

5. *Demand for the types of uses permitted in the proposed zoning district in relation to the amount of land currently zoned and available to accommodate the demand.*

The applicant has indicated that market demand for rental units is adequate to support the proposed multi-family development.

6. *Demands for public services that will be generated by the uses permitted in the proposed zoning district.*

School Districts:

The subject property is located within the Avondale Elementary School District and the Agua Fria Union High School District. The school districts have indicated that they will have the capacity to serve the student demand generated by Estrella Commons. In accordance with a previously approved agreement between the property owner and school districts, the developer will make a voluntary contribution of \$625 per dwelling unit to the school districts.

Fire Response:

Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		Longest path		2nd Nearest Goodyear Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#185	5.24	2.62	6.36	3.18	#184/181	5.42	2.71	5.55	2.77

Police Response:

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.

Streets/Transportation:

The subject property will have direct access to Van Buren Street and a connection to Estrella Parkway with the future construction of Fillmore Street. The Van Buren Street intersection will be restricted to right-in/right-out turning movements only given the existing median in Van Buren Street. Full-turning movements are permitted at the Fillmore Street and Estrella Parkway intersection, which is signalized. At the time of site plan review, the required connections to public streets will be reviewed for compliance with City engineering and public safety standards.

The removal of the originally planned north-south street through the subject property has been approved. Per the traffic study conducted as part of this application, minimal additional traffic is anticipated within the existing Rancho Mirage neighborhood as a result of this roadway's removal.

Water/Wastewater:

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

7. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.*

The proposed rezoning is within proximity to existing public services. The property owner and/or developer will be responsible for the costs of making the necessary connections to these existing services.

8. *General public concerns.*

Public Participation:

A neighborhood meeting was held on August 30, 2017. Two people from the Rancho Mirage neighborhood were in attendance. They had questions on the proposed development but indicated that they did not oppose the rezoning request for multi-family development.

The Planning and Zoning Commission considered this item at their regular meeting of September 13, 2017. Commissioners asked about the gated entrance from Van Buren Street,

and if adequate room had been provided so that cars would not back into the street. The applicant responded that the gate would be designed so that several cars would be able to queue and not impact the roadway. The applicant requested that Stipulation No. 3 (as stated in Ordinance No. 17-1368) be removed, as the required sidewalk along their western and southern borders was unnecessary. The applicant stated that people would not use the sidewalk as one already existed along Estrella Parkway and that the distances were too great to walk. During their discussion on the item, Commissioners responded that the sidewalk furthered the General Plan's call for connected neighborhoods and that they believed the sidewalk would be used, especially as the population in the area increased. The Commission then voted 4-1 to forward a recommendation of approval to the City Council. No one from the public spoke on this item.

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, including the HOAs for Rancho Mirage and Centerra; a legal notice and display ad published in the Arizona Republic on August 25; and a notice of public hearing sign posted on the property. To date, staff has not received any public inquiries as a result of this notice.

9. *Whether the amendment promotes orderly growth and development.*

The subject property is an infill property located within the proximity of City services and infrastructure.

10. *Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.*

The development of the anticipated multi-family development will be required to adhere to all applicable design, building, and engineering standards of the city of Goodyear. Adherence to these standards will be evaluated during the site plan, civil engineering, and building plan review processes.

**FISCAL ANALYSIS:**

There is no direct budget impact associated with the approval of this PAD Amendment.

**RECOMMENDATION:**

With the stipulations as recommended by staff, we find the requested PAD amendment is in conformance with the General Plan and will not adversely affect the surrounding area. As such, staff recommends conditional approval of the amendment to the Estrella Crossing PAD, pursuant to Ordinance No. 17-1361, as attached.

**ATTACHMENTS:**

1. Resolution No. 17-1827
  - a. Estrella Commons PAD dated August 9, 2017
2. Ordinance No. 17-1368
  - a. Exhibit A – Supplementary Zoning Map No. 17-15A
  - b. Exhibit B – Legal Description
3. Aerial Photo
4. Conceptual Layout Exhibit T
5. Open Space Framework Plan Exhibit M1 (existing)