

AGENDA ITEM #: _____

DATE: February 26, 2018

COAC #: 2018-6264

**CITY OF GOODYEAR
CITY COUNCIL ACTION REPORT**

SUBJECT: Rezoning from General Commercial (C-2) to Planned Area Development (PAD)

STAFF PRESENTER: Steve Careccia,
Planner III

CASE NUMBER: 17-200-00001

APPLICANT: Kevin McDougall,
McDougall Devcon, representing Cotton Lane Group

PROPOSED ACTION:

1. Conduct a public hearing to consider a rezoning from General Commercial (C-2) to Planned Area Development (PAD).
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT ORDINANCE NO. 2018-1381 CONDITIONALLY REZONING APPROXIMATELY 9.3 ACRES FROM GENERAL COMMERCIAL (C-2) TO PLANNED AREA DEVELOPMENT (PAD) WITH A LAND USE DESIGNATION OF MANUFACTURED HOME/ RECREATIONAL VEHICLE PARK (MH/RVP); 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 subject property is designated as Neighborhood in the General Plan. This land use provides areas for the growth and development of neighborhoods. Neighborhoods include a wide range of densities and housing products that suit the need of existing and future residents.

The subject property was part of a rezoning from Agricultural (AG) to Planned Area Development (PAD) approved on May 28, 1996, with the adoption of Ordinance No. 96-551. This rezoning facilitated the development of the Cotton Lane RV and Golf Resort PAD. Per the PAD, the subject property was designated for RV and mobile home spaces. The PAD is permitted a maximum of 1,500 RV and mobile home spaces, along with a golf course and several commercial parcels. To date, approximately 438 spaces have been developed.

The subject property was part of a rezoning in which the subject property was conditionally rezoned to General Commercial (C-2) by Ordinance No. 09-1159, approved on February 23, 2009. The rezoning was to facilitate the development of an 18.8-acre commercial center called The Shops at Citrus Center. The site plan for The Shops at Citrus Center was approved on December 23, 2010. However, the site plan has expired since the commercial center was never developed.

The property subject to the Cotton Lane RV and Golf Resort PAD dated May 28, 1996 was recently sold. The buyer also acquired the subject property. Owning only 9.3 acres of the previously proposed 18.8-acre commercial center, the owners feel the viability of developing only their half of the commercial center is low, and believe the development of the property for residential (RV and mobile homes) is consistent with the original intent of the Cotton Lane RV and Golf Resort PAD. As such, they have submitted the subject application to rezone the property to Planned Area Development (PAD) with a land use designation of Manufactured Home/Recreational Vehicle Park (MH/RVP) subject to the Cotton Lane RV and Golf Resort PAD.

This rezoning has not previously been before the Planning and Zoning Commission nor 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.

Details of the Request:

The subject request is to rezone approximately 9.3 acres from General Commercial (C-2) to Planned Area Development (PAD). The request will also amend the Cotton Lane RV Park PAD to bring the subject property back into the PAD. The property will then be reverted to its former land use designation of Mobile Home Park. The rezoning will facilitate the development of 95 RV spaces. The spaces will be approximately 48 feet wide by 55 feet deep.

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 proposed amendment to allow residential use will be consistent with the subject property's land use designation of Neighborhood.

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

The subject property has been cleared and rough graded for some time, but remains undeveloped. The property's physical and natural features are suitable for development as an RV and mobile home park.

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 – Roosevelt Irrigation District canal and a borrow pit zoned Agricultural (AG).

South – Van Buren Street and undeveloped property zoned PAD (proposed Rose Garden single family residential development).

East – Existing Cotton Lane RV Park and Golf Resort zoned PAD.

West – Undeveloped property zoned General Commercial (C-2).

The proposed use of the property for residential development will be compatible with these surrounding uses and zoning.

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 AFB:

The subject property is located within the vicinity of a military airport. Luke Air Force Base has indicated that the proposed density for the rezoning request exceeds the densities allowed under the graduated density concept and would therefore negatively impact base operations. However, the development has an existing entitlement for 1,500 RV spaces and mobile homes, and the subject request will not exceed this maximum entitlement. As recommended by Luke AFB, the owner of the development will be required to provide notice of base operations to all future residents.

The rezoning request will be consistent with the following development standards as established in the General Plan:

Development Standard 8 – New residential uses shall not be approved within the 65 DNL or greater noise contours and the accident potential zones surrounding Luke Air Force Base.

No residential uses are proposed within the 65 DNL or greater noise contours. The 1,500 RV and mobile home spaces approved for the Cotton Lane RV Park are located outside the noise contours, and have been entitled since the 1996 adoption of the PAD. The subject request will not add any new residential development in the area over this existing entitlement.

Development Standard 9 – Residential densities over two dwelling units per acre are discouraged from locating within ½ mile of the 65 DNL noise contour lines of Luke Air Force Base and densities should be graduated away from the 65 DNL contour line.

As previously noted, the Cotton Lane RV Park has an existing entitlement for 1,500 RV and mobile home spaces. The subject property is included in this existing entitlement, as the property was originally designated for residential use in the PAD before it was rezoned to General Commercial in 2009. While the proposed density for the subject property exceeds

the Graduated Density Concept of six units per acre within three miles of the 65 DNL noise contour, the overall Cotton Lane RV Park, at 6.7 du/a, is generally consistent with the Graduated Density Concept.

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.

The rezoning request will include stipulations requiring that written notice of operations at Luke Air Force Base be provided to future tenants.

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 request. The owner of the development is required to provide notice of airport operations to all residents.

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 General Plan designates the subject property for residential and neighborhood development. The applicant has indicated that market demand for additional RV and mobile home space is greater than for the existing commercial zoning.

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

Fire Department:

Emergency response times and distances are provided 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	6.04	3.02	6.38	3.19	#185	11.03	5.51	11.37	5.69

Police Department:

The subject property is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property.

School Districts:

The development is age restricted (55+). As such, there will be no student demand generated nor impact to the school districts as a result of this rezoning request.

Solid Waste/Recycling:

Solid waste and recycling will be provided by the city of Goodyear.

Streets/Transportation:

The subject property will be developed with private drives, which will connect to the existing private drive network within the Cotton Lane RV Park. Access to Van Buren Street will be provided via these existing drives. Two points of access will be provided to the subject property.

Water/Wastewater:

The city of Goodyear will provide water and wastewater services to the subject property.

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*

To date, no public concerns have been received on this request.

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

The subject property is an infill property located within the proximity of utility 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 continued development of the Cotton Lane RV Park 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 planning, civil engineering, and building plan review processes.

PUBLIC PARTICIPATION:

A citizen review meeting was held on June 1, 2017. No one from the public attended the meeting. Notice of the citizen review meeting included a notice mailed to all property owners within 500 feet of the subject property and with a legal notice placed in the Arizona Republic.

Notice for the Planning and Zoning Commission and City Council public hearings for this item included a legal notice placed in the Arizona Republic on January 26, 2018; a sign posted on the subject property; and a notice mailed to all property owners within 500 feet of the subject property. To date, staff has not received any public inquires as a result of this notice.

The Planning and Zoning Commission considered this item at a public hearing held on February 14, 2018. The Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council. There was no opposition to the item voiced at the public hearing.

FISCAL ANALYSIS:

There is no direct budget impact associated with this rezoning request. Future anticipated impacts include:

- This development includes private streets that will be constructed by the developer and maintained by the homeowner's association.
- This development will contain 95 RV spaces, which will require public services such as water, wastewater, sanitation, police, and fire.

RECOMMENDATION:

With the stipulations as recommended by staff, the requested rezoning is in conformance with the General Plan and will not adversely affect the surrounding area. As such, staff recommends conditional approval of the rezoning, pursuant to the draft of Ordinance No. 2018-1381, as attached. The Planning and Zoning Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council.

ATTACHMENTS:

1. Ordinance No. 2018-1381
 - a. Exhibit A – Supplementary Zoning Map No. 17-01
 - b. Exhibit B – Legal Description
2. Aerial Photo
3. Project Narrative
4. Cotton Lane RV/Mobile Home and Golf Resort – Development Plan