

**CITY OF GOODYEAR  
COUNCIL ACTION REPORT**

<b>SUBJECT: City of Goodyear Water Campus No. 12 Rezone</b>	<b>STAFF PRESENTER:</b> Joe Schmitz, Long Range Planner  <b>CASE NUMBER:</b> 18-200-00005  <b>OTHER PRESENTER:</b> Barbara Chappell, Public Works Department, Environmental Services Manager
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**PROPOSED ACTION:**

1. Conduct a public hearing to consider a rezone of 5.75 acres located 400 feet south of the southwest corner of Lower Buckeye Road and S. 173<sup>rd</sup> Avenue from the AG Agricultural District and Final Planned Area Development (PAD) Multi-Use Land Use Category under the El Cidro PAD to Public Facilities District (PFD) to allow improvement and expansion of the city of Goodyear (COG) Water Campus No. 12;
  - a. Open public hearing
  - b. Staff presentation
  - c. Receive public comment
  - d. Close public hearing
2. ADOPT RESOLUTION NO. 2018-1885 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED “SUPPLEMENTARY ZONING MAP NO. 18-05” AND “LEGAL DESCRIPTION CITY OF GOODYEAR WATER CAMPUS NO. 12.”
3. ADOPT ORDINANCE NO. 2018-1394 REZONING A TOTAL OF APPROXIMATELY 5.75 ACRES LOCATED 400 FEET SOUTH OF THE SOUTHWEST CORNER OF LOWER BUCKEYE ROAD AND 173RD AVENUE, KNOWN AS THE CITY OF GOODYEAR WATER CAMPUS NO. 12, FROM THE AGRICULTURAL (AG) DISTRICT (3.26 ACRES) AND FINAL PLANNED AREA DEVELOPMENT (PAD) DISTRICT (2.49 ACRES) MULTI-USE LAND USE CLASSIFICATION UNDER THE EL CIDRO PAD TO THE PUBLIC FACILITIES DISTRICT (PFD); 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 “Neighborhood.” The “Neighborhood” land use category includes areas for growth and development of neighborhoods

that include a wide range of densities and housing products, public and community facilities such as schools and places of worship, and commercial uses at appropriate intensities and locations.

The property was zoned AG Agricultural District to match its zoning in the County of Rural-43 when it was annexed in 1986 under Ord. No. 86-185. The current zoning of the property is AG Agricultural District on the north 3.26 acres and Final PAD Multi-Use Land Use Category under the El Cidro PAD on the south 2.49 acres, as most recently amended by Ord. No. 17-1352 in June 2017. The northern portion of this property has been the site of the City of Goodyear Water Campus No. 12 since 1991 when the City acquired the north 3.26 acres. An additional 2.49 acres recently was acquired in September 2017 so that a new 2.0 MG water storage tank and additional water treatment equipment could be constructed. When the water campus was constructed in the early 1990's, a public utility facility was a permitted use in the AG district. Since that time, the Zoning Ordinance was amended and now requires a Use Permit for a Public Utility Facility to serve the immediate area (excluding office facilities and maintenance yards) in all residential zoning districts. The Multi-Use Land Use Category under the El Cidro PAD allows the property to be developed under one of several zoning districts, including the C-2 General Commercial District in which a Public Utility Facility to serve the immediate area is a permitted use. However, since the C-2 district development standards would not allow the water campus expansion in the manner desired and changes were planned on that portion of the property zoned AG, it was recommended that the entire site be rezoned to the Public Facility District which allows most utility uses by right and has less restrictive setback requirements.

The El Cidro PAD was originally approved in 2007 by Ord. No. 07-1060 and has been amended several times with the most recent being Ord. No. 17-1352 that modified some development standards and adjusted some of the boundaries between land use designations. Another amendment to the El Cidro PAD is currently being processed (Case No. 18-210-00002 – Proposed Ord. No. 18-1387) that proposes further modification of certain development standards, but the El Cidro PAD zoning will no longer apply to the water campus site if this proposed rezoning is approved as requested.

On February 22, 2016, the City Council approved an extension of the Preliminary Plat for El Cidro to August 25, 2016. Three final plats and a Map of Dedication were submitted prior to the expiration date and approved by the City Council on April 10, 2017. Phase 1 of Parcel 1D, Parcel 2 and Parcel 3 were recorded on June 29, 2017 and are under development by Beazer Homes. The south 2.49 acres of Water Campus No. 12 was planned for development with 11 single family lots around a cul-de-sac, but was changed to Tract F in Parcel 2 before the final plat for Parcel 2 was approved to facilitate sale of the tract to the City. This rezone application has not previously been before the Planning and Zoning Commission or City Council.

### **STAFF ANALYSIS:**

#### **Current Policy:**

A rezoning request requires public review and approval by the Planning and Zoning Commission and City Council. The proposal 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 City of Goodyear Public Works Department is requesting to rezone 5.75 acres where Water Campus No. 12 is located. The existing zoning is AG Agricultural District and Multi-Use Land Use Category under the Final El Cidro PAD, as amended. The proposed zoning is Public Facility District (PFD). The rezoning would consolidate the property into one zoning district and allow the expansion of the current public utility facility.

As noted in the Narrative submitted with the application, the City currently relies entirely on groundwater pumping to meet its physical water demands. A recent evaluation of the water distribution system determined that the system lacks sufficient redundancy in production, pumping, and storage capacity to meet current and future demands. The City has identified the need to increase the water supply in its portfolio not only accommodate future growth, but to fill an immediate need to increase the firm supply (supply with the highest producing well offline) in order to at least meet the peak day demands.

The improvements planned include a new 2.0 MG water storage tank and additional reverse osmosis (R.O.) treatment equipment which may be located within a building or simply covered with a shade cover. The existing wall around the northerly 3.26 acres will be replaced by a new eight-foot tall wall that will match the perimeter wall to be installed around the El Cidro development, except that it will include an additional 2.5-foot wrought iron picket fence on top of the new wall for security purposes. The wall will be placed just outside the 10-foot public utility easement along the 173<sup>rd</sup> Avenue right-of-way, about 18 feet from the back of curb. The City also plans to erect a 60-foot tall monopole on the site to enable communications between this site and the City's water system's controls. The proposed communications tower is the subject of a separate application for a Special Use Permit for a Wireless Communications Facility that is being processed under Case No. 18-350-00001.

Access to the site will be by way of one or more 20-foot wide vehicle gates on S. 173<sup>rd</sup> Avenue. Landscaping will be installed in the triangular area at the front of the site and along the west side of 173<sup>rd</sup> Avenue that matches the landscaping that will be installed along the east side of 173<sup>rd</sup> Avenue by the developer of El Cidro. As the plans of these improvements move forward, the design of any new buildings will be subject to design review by staff and encouraged to blend in with the surrounding residential area, especially any portions of the buildings that may extend above the height of the screening wall.

**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 designates this area as Neighborhood. Commercial uses are appropriate in this category at appropriate intensities and locations. The General Plan also promotes coordination with utility providers to promote compatible land uses through the enhancement of their facilities. This project is adjacent to undeveloped property zoned for development with single family homes. The design of the facility will use materials and colors that are

compatible and consistent with the surrounding area to blend in as much as possible. The tanks are depressed to minimize the visibility of the tanks. Likewise, the other equipment on site will be below the height of the wall or treated to minimize the impact of what is visible.

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

The north half of the property is currently the site of Water Campus No. 12 and the south half is undeveloped land zoned for residential use. The property is relatively flat except where it has been excavated for the existing depressed water tank. With the additional land that has been acquired the property is suitable for the construction of another 2.0 MG water storage tank and associated treatment equipment.

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

The proposed zoning district allows a wide range of public uses from governmental offices to wastewater treatment plants and reclamation facilities, some of which may not be appropriate given the existing and planned residential uses in the surrounding area. As a practical matter, the PFD zoning is being pursued for the primary purpose of improving and expanding the existing water treatment, storage and distribution facility. With appropriate screening and design, the planned use should not be incompatible with surrounding uses and zoning.

The land uses and zoning of the surrounding properties include the following:

- North: Vacant land across Lower Buckeye Road to the northwest that will be developed with single-family homes 50' x 120' lots (6,000 sq.ft.) in the La Jolla Vista PAD, and the Sin Lomas single-family residential development on similarly sized lots.
- East: Vacant land that is being developed for single-family homes on 45' x 110' lots (4,950 sq.ft.) in El Cidro Parcel 3 that is in the Multi-Use land use category of the El Cidro PAD and will use the LDR4 residential land use category development standards.
- South: Vacant land that is being developed for single-family homes on 45' x 110' lots (4,950 sq.ft.) in El Cidro Parcel 2 which is in the LDR4 land use category of the El Cidro PAD.
- West: Vacant land zoned R1-6 Single Family Residential District in 2005 for Cotton Commons that had planned 124 single-family homes on 60' x 120' lots (7,200 sq.ft.).

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.*

The existing zoning districts would allow agricultural uses and a variety of residential and commercial uses. The fact that over one-half of the property is being used as a water treatment facility, and has been for over 25 years, without adversely affecting the surrounding area demonstrates the compatibility of this type of use at this location. The beneficiaries of this facility are, or will be, the residents in the surrounding area. Without these improvements, water supply for potable and fire protection purposes may not be

adequate for the developments planned on nearby properties. Because of the existing facilities, the property is particularly well-suited for the planned water plant expansion.

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.*

Recent evaluation of the water distribution system determined that the system lacks sufficient redundancy in production, pumping, and storage capacity to meet current and future demands. The City has identified the need to increase the water supply in its portfolio not only accommodate future growth, but to fill an immediate need to increase the firm supply (supply with the highest producing well offline) in order to at least meet the peak day demands. There is no other land in the immediate area that is currently zoned and available for this purpose, nor better suited to meet the needs of the City's water system.

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

Fire Response:

Emergency response times and distances are provided below:

Nearest Fire Station	Shortest path		Longest path		2nd Nearest Fire Station	Shortest path		Longest path	
	Mins	Miles	Mins	Miles		Mins	Miles	Mins	Miles
#184/181	5.14	2.57	5.36	2.68	#182	11.28	5.64	11.50	5.75

The proposed Rezone to PFD does not impact Fire Department response times.

Police Department:

Water Campus No. 12 is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property as proposed. The proposed Rezone to PFD does not impact the Police Department.

Streets/Transportation:

The subject property has direct access to 173<sup>rd</sup> Avenue and may be developed with additional driveways to that collector roadway. The Traffic Impact Statement submitted with the application noted that the projected traffic from this site will only be about 2.1 vehicles per day (vpd) which is substantially less than the 110 vpd that would have been generated by the development of 11 single family homes as originally planned.

Water/Wastewater:

The subject property, as well as the surrounding area, is served by the City of Goodyear water and wastewater utilities. Both water and wastewater services are available to the site and will be further enhanced once the adjacent phases of the El Cidro community are developed. In addition, rezoning the subject property and developing it for the treatment and distribution of additional water resources will be a benefit to the surrounding area and the entire city water system.

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

The location of the subject property is close to existing public services. The City will be responsible for the costs of making the necessary connections to these existing services.

8. *General public concerns.*

In accordance with the City's Citizen Review Process, a neighborhood meeting was held on May 23, 2018. Notice for the meeting was sent by regular mail to all property owners and HOA's within 500 feet of the site. No one attended the neighborhood meeting other than City staff. Notices for the public hearings before the Planning and Zoning Commission and City Council were sent to the owners of property and the HOAs closest to the subject property on May 29, 2018; a legal notice was published in the Arizona Republic on May 25, 2018; and a notice of public hearings sign was posted on the property on May 29, 2018. This item was postponed at the June 13, 2018 Commission meeting to the June 27 meeting. On June 8, new notices were sent to adjoining property owners by mail; a legal ad appeared in the Arizona Republic; and the hearing dates on the signs were changed. To date, staff has not received any objections or comments related to this request.

**Planning and Zoning Commission Action:**

A public hearing was held before the Planning and Zoning Commission on June 27, 2018. No one from the public attended or spoke on this the request. Commissioner Molony made a motion, seconded by Commissioner Stiener, that the Commission recommend to the City Council approval of the rezoning of a total of approximately 5.75 acres located 400 feet south of the southwest corner of Lower Buckeye Road and 173<sup>rd</sup> Avenue, known as the City of Goodyear Water Campus No. 12, from the Agricultural (AG) District (3.26 acres) and Final Planned Area Development (PAD) District (2.49 acres) Multi-Use Land Use Classification under the El Cidro PAD to the Public Facilities District (PFD). There was no discussion on the motion. The motion passed by a vote of 5 to 0. Commissioner Walters and Vice-Chairman Barnes were absent.

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

The subject property will promote and support orderly growth and development by providing needed water infrastructure in an area of the city where new development is a logical extension of existing growth patterns.

**FISCAL ANALYSIS:**

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, city sales tax, state shared revenues and the increased demand for commercial and retail development.

## **RECOMMENDATION:**

Staff finds that the proposed Rezone to the Public Facilities District to allow improvement and expansion of Water Campus No. 12 is consistent with the property's land use classification of "Neighborhood" in the Goodyear 2025 General Plan. It is recommended that the City Council adopt Resolution No. 2018-1885 declaring as public records those certain documents filed with the City Clerk and titled "Supplementary Zoning Map No. 18-05" and "Legal Description, City of Goodyear Water Campus No. 12;" and adopt Ordinance No. 2018-1394 rezoning a total of approximately 5.75 acres located 400 feet south of the southwest corner of Lower Buckeye Road and 173<sup>rd</sup> Avenue, known as the City of Goodyear Water Campus No. 12, from the Agricultural (AG) District (3.26 acres) and Final Planned Area Development (PAD) District (2.49 acres) Multi-Use Land Use Classification under the El Cidro PAD to the Public Facilities District (PFD), as set forth in Resolution No. 2018-1885 and Ordinance No. 2018-1394 attached hereto.

## **ATTACHMENTS:**

1. Resolution No. 2018-1885
  - a. Exhibit A – Supplementary Zoning Map No. 18-05
  - b. Exhibit B – Legal Description City of Goodyear Water Campus No. 12
2. Ordinance No. 2018-1394
3. Aerial Photo
4. Project Narrative
5. Conceptual Site Plan
6. Conceptual Landscape Plan
7. El Cidro Site Plan
8. El Cidro Open Space Plan