

AGENDA ITEM #: _____

DATE: September 24, 2018

COAC #: 2018-6450

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: Rezoning from AU (Agricultural Urban) to I-1 (Light Industrial)

STAFF PRESENTER: Steve Careccia,
Planner III

CASE NUMBER: 18-200-00008

APPLICANT: Tracy Wieczorek, APS

PROPOSED ACTION:

1. Conduct a public hearing to consider a rezoning for approximately 2.28 acres from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district.
 - a. Open the Public Hearing
 - b. Staff Presentation
 - c. Applicant Presentation
 - d. Receive Public Comment
 - e. Close the Public Hearing
2. ADOPT RESOLUTION NO. 2018-1901 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 18-08,” AND “EXHIBIT B - LEGAL DESCRIPTION – REZONING EXHIBIT ARIZONA PUBLIC SERVICE COMPANY.”
3. ADOPT ORDINANCE NO. 2018-1407 CONDITIONALLY REZONING APPROXIMATELY 2.28 ACRES FROM THE AU (AGRICULTURAL URBAN) ZONING DISTRICT TO THE I-1 (LIGHT INDUSTRIAL) ZONING DISTRICT; 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 Business and Commerce on the General Plan Land Use and Transportation Plan. This land use includes uses such as business parks, offices, warehouses, regional hospitals, high density residential, and light industrial uses. This category may also include public and community facilities.

At their regular meeting of September 12, 2018, the Planning and Zoning Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council.

STAFF ANALYSIS:

Current Policy:

A request to rezone property requires public review and approval by the Planning and Zoning Commission and City Council. The proposed rezoning should be consistent with the General Plan and should not adversely impact the surrounding area.

Details of the Request:

The request is to rezone approximately 2.28 acres from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district. The subject property is located on the west side of Bullard Avenue, approximately halfway between Van Buren Street and Yuma Road.

The rezoning will facilitate the construction of an APS electrical substation on the property. Within the I-1 (Light Industrial) zoning district, an electrical substation is a permitted use.

Evaluation Criteria:

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

1. *Consistency with the General Plan.*

The General Plan designates the subject property with a land use of Business and Commerce. The requested I-1 (Light Industrial) zoning district is consistent with the Business & Commerce land use. As previously noted, public utility facilities, including electrical substations, are a permitted use within the I-1 (Light Industrial) zoning district.

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 in agricultural production. With the prerequisite improvements to the property, such as grading and installation of infrastructure, the property will be suitable for light industrial development, including the development of an electrical substation for APS.

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 – Undeveloped property zoned AU (Agricultural Urban).

South – Undeveloped property zoned I-1 (Light Industrial).

East – Bullard Avenue and undeveloped property zoned AU (Agricultural Urban).

West – Undeveloped property zoned AU (Agricultural Urban).

The proposed use of the property for light industrial use, including an electrical substation, will be compatible with the above referenced land uses and zoning. The facility will be screened by a 10-foot high block wall and landscaping along Bullard Avenue.

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 not located within the overflight boundary of Luke Air Force Base. Given the light industrial nature of development intended on the subject property, base operations will not be adversely affected.

Phoenix Goodyear Airport:

The subject property is located within the traffic pattern airspace of the Phoenix Goodyear Airport. Given the light industrial nature of development intended on the subject property, airport operations will not be adversely affected.

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 property owner, APS, has indicated a need for additional electrical infrastructure in this area due to growth and increased service demands.

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 (the shortest and longest paths are the same given the small size and configuration of the property):

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	4.64	2.32	4.64	2.32	#183	7.73	3.87	7.73	3.87

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.

Streets/Transportation:

The property is adjacent to Bullard Avenue. As noted in the stipulations of approval, the future development of the property will require the dedication of right-of-way and construction of Bullard Avenue half-street improvements in accordance with applicable engineering standards.

Water/Wastewater/Sanitation:

The proposed electrical substation will not generate any demand for water, wastewater, or sanitation services.

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

The subject property is in proximity to existing public services. However, as noted above, the substation will not pose a demand on city services, and will therefore not result in any potential adverse fiscal impacts. Additionally, the property owner will be responsible for the costs of making the necessary infrastructure improvements required with the development of the subject property. This includes the dedication of right-of-way and construction of Bullard Avenue adjacent to the subject property.

8. *General public concerns*

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

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

The subject property is located within the proximity of utility services and infrastructure. Development of the APS electrical substation will help meet the growing demand for electrical infrastructure and service within this area of the city.

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 should not have any adverse impacts on the general health, safety and welfare of the citizens of the city or general public. The development of the substation will occur in conformance with city of Goodyear regulations, including the Zoning Ordinance and engineering design standards.

PUBLIC PARTICIPATION:

In accordance with the City's Citizen Review Process, an alternative notification process was used for this request. A formal citizen review meeting was not involved, but notice providing information on the request was mailed to surrounding property owners within 500 feet of the subject property. To date, staff has not received any public inquires on this request.

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 August 24, 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 their regular meeting of September 12, 2018. The Commission unanimously voted (5-0) to forward a recommendation of approval to the City Council. No one from the public spoke on this item.

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 typical 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:

With the stipulations recommended by staff, we find the requested zoning is in conformance with the General Plan and will not adversely affect the surrounding area. Staff and the Planning and Zoning Commission recommend approval of the rezoning from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district, as set forth in Ordinance No. 2018-1407, attached hereto.

ATTACHMENTS:

1. Resolution No. 2018-1901
 - a. Exhibit A – Supplementary Zoning Map No. 18-08
 - b. Exhibit B – Legal Description
2. Ordinance No. 2018-1407
3. Aerial Photo
4. Preliminary Site Plan
5. Preliminary Landscape Plan