

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

SUBJECT: La Privada Rezone	STAFF PRESENTER: Alex Lestinsky, Planner II
	CASE NUMBER: 18-200-00004
	APPLICANT: Dawn Fortuna, Rick Engineering

PROPOSED ACTION:

1. Conduct a public hearing to consider a request to rezone approximately 193 acres generally located north of Yuma Road and east of Perryville Road from Planned Area Development to Single Family Residential R1-4, R1-6, and R1-7.
 - a. Open the Public Hearing
 - b. Staff Presentation
 - c. Applicant Presentation
 - d. Receive Public Comment
 - e. Close the Public Hearing
2. ADOPT RESOLUTION NO. 2018-1907 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED, "SUPPLEMENTARY ZONING MAP NO. 18-04;" AND "LEGAL DESCRIPTION PARCEL 1," "LEGAL DESCRIPTION PARCEL 2," "LEGAL DESCRIPTION PARCEL 3," "LEGAL DESCRIPTION PARCEL 4," "LEGAL DESCRIPTION PARCEL 5," "LEGAL DESCRIPTION PARCEL 6," AND "LA PRIVADA OVERALL CONCEPTUAL LANDSCAPE PLAN DATED AUGUST 27, 2018 PREPARED BY RICK ENGINEERING COMPANY."
3. ADOPT ORDINANCE NO. 2018-1411 CONDITIONALLY REZONING APPROXIMATELY 193 ACRES LOCATED AT THE SOUTHEAST CORNER OF PERRYVILLE ROAD AND HARRISON ROAD ALIGNMENT AND THE NORTHEAST CORNER OF YUMA ROAD AND THE 183RD AVENUE ALIGNMENT, KNOWN AS LA PRIVADA, BY REZONING APPROXIMATELY 69 ACRES FROM FINAL PLANNED AREA DEVELOPMENT (PAD) TO R1-7, APPROXIMATELY 48 ACRES FROM PAD TO R1-6, AND APPROXIMATELY 76 ACRES FROM PAD TO R1-4; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

BACKGROUND AND PREVIOUS ACTIONS:

On June 25, 2006, the City Council approved the La Privada PAD with the adoption of Ordinance No. 2006-1014, conditionally rezoning the subject property from the Agricultural Urban (AU) zoning district to the Final Planned Area Development (PAD) zoning district.

STAFF ANALYSIS:

Current Policy:

A rezoning request requires public review and recommendation by the Planning and Zoning Commission and approval by the 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 request is to rezone approximately 193 acres to the city's Single Family Residential R1-4, R1-6, and R1-7 districts. This rezone also removes or updates many of the stipulations from the original La Privada PAD zoning. Stipulations that restated required Development Regulations were removed, stipulations that addressed matters included with the Amended & Restated Development Agreement for La Privada dated June 13, 2016 were removed, as were stipulations that are no longer applicable. New stipulations were added as needed to address the rezoning. Additionally, the La Privada PAD had originally anticipated the development with private streets, however, all streets within the development will now be public. A comparison of the existing zoning and proposed zoning is below:

	La Privada PAD	Single Family Residential	Proposal
Lot Sizes & Product	Dwelling Units		Dwelling Units
60' x 120' (PAD)	387	R1-6	137
70' x 125' (PAD)	191	R1-7	191
	-	R1-4	274
TOTAL	578	TOTAL	602

With the requested R1-4, R1-6, and R1-7 zoning, La Privada will develop in accordance with the standards in the recently updated Article 3-2 of the City of Goodyear Zoning Ordinance rather than the project specific standards approved in the PAD. These parcels within La Privada will follow the same development standards as all other properties in the city zoned R1-4, R1-6, and R1-7 except for the reduction in the rear yard setbacks discussed below.

Article 3 Single Family Districts – Lot Standards			
	R1-4	R1-6	R1-7
Minimum lot area (sq. ft.)	4,500	5,500	7,000
Minimum lot width (ft.)	45	55	70
Minimum lot depth (ft.)	100	100	100

Pursuant to the ordinance, the R1-4 parcels must include one amenity elements, two connectivity elements, and three streetscape elements. The applicant has identified which amenities will be provided to allow for the R1-4 zoning. La Privada selected to enhance the development by providing and implementing the following elements:

Amenity Elements (1 required)

1. Additional Internal Park Amenities – The Overall Conceptual Landscape Plan includes additional park features that are spread throughout all of La Privada including 8 ramadas, a dog park, basketball and sand volleyball courts, and a fitness trail which includes fitness stations.

Connectivity Elements (2 required)

1. Trail System Connections – Owner will develop trail running through La Privada that is accessible to the public
2. Lot Diversity, i.e., at least 30% of the lots within the area zoned R1-4 are stipulated to be at least 50 feet wide
3. Smaller Blocks – A stipulation was included to require development with the portions of the Property zoned R1-4 to meet the minimum block size requirements as described by the Section 3-2-3.D.ii.3 of the City of Goodyear Zoning Ordinance.

Streetscape Elements (3 required)

1. Detached Sidewalk with the portions of the Property zoned R1-4
2. Paving Material – A stipulation is included to require alternative paving in the driveways of the parcels zoned R1-4.
3. Additional Streetscape Elements – The applicant worked with staff to determine that the intersections along 183rd Avenue and along Harrison Street will serve as an appropriate *additional streetscape element*. Stamped colored concrete paving is to be used for the intersections as reflected in the La Privada Overall Conceptual Landscape Plan..

There is one deviation from the city's development standards for R1-6 and R1-7 that are requested. The rear yard setback for R1-6 and R1-7 are 20' and 25', respectively. However, built into the original La Privada PAD, the rear yard setback was allowed to be 19'. Since staff requested that the applicant utilize the city's zoning districts as opposed to the PAD process, staff has determined that allowing the 19' rear yard setback through a stipulation will be acceptable, as opposed to moving forward with a PAD amendment. This allowance has been included as a stipulation in the ordinance rezoning the property.

Staff Evaluation:

Per the city of Goodyear Zoning Ordinance, the city's review and recommendation shall be guided by the following considerations:

1. *Consistency with the General Plan.*

The property is designated as Neighborhoods on the General Plan Land Use Plan. This land use permits residential development with a wide range of densities and housing products.

Development Standard 25

Single family, detached and attached, residential uses with densities up to five dwelling units per acre are appropriate throughout the Neighborhoods category.

The purpose of the rezoning is to permit the development of detached single family homes on the subject property at an approximate density of less than 5 du/ac. This is consistent with the Neighborhoods land use category.

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

The subject property's physical and natural features are suitable for single family development. 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 – The approved Amber Meadows Planned Area Development with a density of 2.92 du/ac, and unincorporated County land developed with 1 acre lots and farming

South – Unincorporated County land, and Paseo Place Parcels 1 and 2 zoned R1-6

East – Unincorporated County land

West – Unincorporated County land

The proposed rezoning from PAD to R1-4, R1-6, and R1-7 does not change La Privada's compatibility with the surrounding area.

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 area proposed for rezoning from PAD to R1-4, R1-6, and R1-7 is consistent with other land uses in the area. Removal of the PAD designation to a portion of the La Privada site is beneficial in that there will no longer be a set of development standards pertaining only to the La Privada development. The property will follow the same development standards as all other properties in the city that are zoned R1-4, R1-6, and R1-7.

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 development. The applicant has indicated that incorporating the R1-4 zoning will expand the market segmentation in La Privada. The table below indicates the diversity of lot sizes in West Goodyear.

	WEST GOODYEAR LOT DIVERSITY	
Lot Sizes	Current # of Lots	# if La Privada Rezone is approved
Court homes	393	279

50 ft wide or less	949	1,459
51 to 60 ft wide	3,640	3,468
61 to 70 ft wide	1,221	1,221
71 ft wide plus	804	607
TOTAL	7,007	7,034

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

West Goodyear Development Agreements:

The increase in the number of lots within La Privada does not impact the Amended and Restated Development Agreement for La Privada (Resolution No. 16-1754).

School Districts:

La Privada is located within the Buckeye Union High School District and the Liberty Elementary School District #25. High school students will attend the Estrella Foothills High School, located at 13033 S Estrella Parkway in Goodyear. Elementary school students will attend the Las Brisas Elementary School. The developer has been working with the school districts and determined voluntary impact fees.

Parcel 6 is included in this rezoning as an R1-6 zoning designation. This parcel was and is still being designated as a future school/park site, in conjunction with the Amber Meadows development. The R1-6 zoning district lists schools and parks as permitted uses.

Fire Department:

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	5.87	2.93	7.13	3.57	#185	14.82	7.41	16.08	8.04

Police Response:

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.

Water/Wastewater:

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

Streets/Transportation:

The La Privada site is bound by unincorporated County properties, Amber Meadows, and Paseo Place with direct frontage onto Perryville Road and Yuma Road. Access to the development will be provided on Yuma Road at the 183rd Avenue alignment, and on Perryville Road at the Harrison Street alignment. The proposed rezoning does not change the

access to the development of the future location of traffic signal, nor does it materially change the conclusion of the previous Traffic Impact Analysis (TIA). An updated TIA has been reviewed and approved by staff.

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

Public services are being developed adjacent to and in the vicinity of La Privada pursuant to the Second Amended and Restated Development Agreement pertaining to the West Goodyear Central Planning Area. The proposed rezoning does not change the provision of the Second Amended and Restated Development Agreement.

8. *General public concerns.*

Public Participation:

Pursuant to the Citizen Review Process, a neighborhood meeting was held on June 6, 2018. Notification of this meeting included a postcard mailed to the owners of the property within 500 feet of the subject property; a legal notice published in the Arizona Republic.

Approximately 15 residents of the unincorporated neighborhood to the north and east attended the meeting. The neighbors voiced concerns regarding increase in density and other general concerns. The applicant provided follow-up notes to the general concerns raised at the meeting, which were published to the city's website. A copy of these notes are included as an attachment to this packet.

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; a legal notice published in the Arizona Republic; and a notice of public hearing sign posted on the property.

On October 10, 2018, a public hearing was held before the Planning and Zoning Commission. After the staff presentation, the Commission had questions regarding the compatibility of the development with the existing rural County area surrounding the property. Staff stated that there is a stipulation disclosing the adjacency of agricultural uses and that they may create odors and noise. During the public hearing, two residents spoke regarding the project and expressed concerns about future complaints about their animals, the safety of the kids falling into an irrigation canal, where the water will come from, and impacted views of the White Tank Mountains. Staff provided information that the irrigation canal is planned to be piped, and services will be provided by the City of Goodyear. After consideration, the Commission added a stipulation that the lots bordering the County island area in Parcel 3 would be limited to one-story. The Commission then recommended approval of the project, with the added stipulation, by a unanimous vote (7-0).

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

The proposed rezoning will not alter the planned orderly growth and development of the area.

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 R1-4, R1-6, and R1-7 parcels 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 platting, civil engineering, and building plan review processes.

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 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 rezone request is consistent with the General Plan, the Zoning Ordinance, and best serves the public interest, health, comfort, convenience, safety, and general welfare of the citizens of Goodyear. The Planning and Zoning Commission recommended approval of the request, with an additional stipulation, (7-0) on October 10, 2018. Staff recommends approval of the request to rezone, as recommended by the Planning and Zoning Commission and as set forth in Ordinance 2018-1411, which includes the additional stipulation recommended by the Planning and Zoning Commission.

ATTACHMENTS:

1. Resolution No. 2018-1907
 - A. Exhibit A – Supplementary Zoning Map
 - B. Exhibit B – Legal Description Parcel 1
 - C. Exhibit C – Legal Description Parcel 2
 - D. Exhibit D – Legal Description Parcel 3
 - E. Exhibit E – Legal Description Parcel 4
 - F. Exhibit F – Legal Description Parcel 5
 - G. Exhibit G – Legal Description Parcel 6
 - H. Exhibit H – La Privada Overall Conceptual Landscape Plan
2. Ordinance No. 2018-1411
3. Aerial Photo
4. Project Narrative
5. Neighborhood Meeting Minutes