

**CITY OF GOODYEAR  
PLANNING AND ZONING COMMISSION ACTION REPORT**

<b>SUBJECT: Liberty 303 Rezone</b>	<b>STAFF PRESENTER:</b> Alex Lestinsky, Planner II
	<b>CASE NUMBER:</b> 18-200-00009
	<b>APPLICANT:</b> Ed Bull, Burch & Cracchiolo

**PROPOSED ACTION:**

1. Conduct a public hearing to consider a rezone to approximately 114 acres generally located south of the southwest corner of Camelback Road and Cotton Lane from Planned Area Development to Light Industrial (I-1):
  - a. Open the Public Hearing
  - b. Staff Presentation
  - c. Applicant Presentation
  - d. Receive Public Comment
  - e. Close the Public Hearing
2. Recommend approval of the rezone, subject to stipulations included in the draft Ordinance.

**BACKGROUND AND PREVIOUS ACTIONS:**

City Council adopted Ordinance 06-1056 on December 22, 2006 which created the Camelback 303 Commerce Park Planned Area Development (PAD) to zone approximately 111 acres to Light Industrial (I-1) and 15 acres to General Commercial (C-2).

**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 subject property includes approximately 114 acres and is currently zoned I-1 under the Camelback 303 Commerce Park PAD. This request does not include the approximate 15 acres of C-2 property within the Camelback 303 Commerce Park PAD.

This request is to remove the PAD Overlay from the Property, which allowed for flexibility with some of the development standards, otherwise applicable in the I-1 (Light Industrial) zoning district.

### **Evaluation Criteria**

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 General Plan designates the subject property as both 'Business & Commerce' and 'Industrial'. The Light Industrial land use is consistent with the 'Business & Commerce' and 'Industrial' designation. The entire property is also located within the 'Luke Compatible Land Use Area Overlay' (LCLUA), which protects areas within the high noise contours proximate to Luke Air Force Base.

Development Standard 46

Industrial land uses are encouraged to locate within and adjacent to the LCLUA Overlay to protect Luke Air Force Base from encroachment, and to capitalize on these major assets.

Development Standard 37

Light industrial uses such as warehousing or distribution centers are appropriate throughout the Business & Commerce category but should be buffered from residential uses.

The city's development standards for the I-1 district include provisions that require additional screening and landscape requirements for industrial uses located adjacent to any existing or planned residential. Additionally, the residential property to the immediate west of the subject property is zoned for Agricultural Urban (AU) to provide for fewer residential units abutting the industrial property.

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

The property is currently vacant and portions are used for farm fields. The physical and natural features are suitable for the proposed industrial uses. 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.*

The property is located less than a half mile from the Loop 303 freeway and is surrounded by Light Industrial zoning on two sides. General Commercial is located to the north. Potential uses listed in the Light Industrial district are compatible with the surrounding area. Uses and developments surrounding the subject property include:

North – Portion zoned C-2 within the Camelback 303 Commerce Park PAD, and a portion zoned for commercial and business park uses within the Cotton Camel Center PAD.

South – Mix of Industrial uses per the TEN303 PAD

East – Cotton Lane and the PV303 PAD

West – Agricultural Urban (AU), Abel Ranch

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 proposed rezoning removes the PAD Overlay and restricts the land use to what is permitted by A.R.S. § 28-8481(J), or expressly approved by Luke Air Force Base. Three of the four sides of the property are currently zoned for industrial or commercial uses and one side is zoned for lower density residential.

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 is currently zoned for industrial uses. Besides the Abel Ranch community, the property surrounding the subject property is currently zoned and utilized for similar industrial uses. In the project narrative the applicant discusses the market demand for shovel-ready industrial land near the 303. Additionally, the proximity within the Luke noise contours and General Plan limits the use of the property.

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

Due to the size of the subject property, there is minimal impact to public services based on the land use change.

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	5.69	2.84	6.34	3.17	#183	9.97	4.99	10.63	5.31

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 has access to Cotton Lane. The three conceptual site plans included in the narrative propose two points of access off of Cotton Lane that connect throughout the site.

Water/Wastewater:

The subject property will be served by EPCOR for water and the city of Goodyear for 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 subject property is in proximity to where existing public services are provided. The property owner and/or developer will be responsible for the costs of making necessary connections to these existing services.

8. *General public concerns.*

Since there are no residents within the 500-foot notification area, a citizen review meeting was not held. Notice was sent to property owners within 500-feet, an ad was posted in the paper, and the property was posted with the public hearing information. To date, no inquiries regarding the proposal have been received.

Luke Air Force Base

The submittal was sent to Luke Air Force Base for feedback. They identified that the proposal will not have negative impact on operations, however indicated that they would like to provide comments during site plan review process in order to ensure future uses will not impact flying operation. In keeping with this request, stipulation #3 has been included in order to require Luke's input throughout future site plan reviews. Included in the packet is Luke's response to the request.

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

The subject property is located adjacent to existing infrastructure and developed areas. The amendment will allow development of the subject property and promotes the orderly growth and development 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 proposed amendment promotes the general health, safety, and welfare of the City.

**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.

- The Owner is responsible for 25% of the traffic signal at Cotton Lane and Minnezona Avenue

### **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. Staff recommends approval of the request to rezone approximately 115 acres from PAD to Light Industrial (I-1), as set forth in the attached draft ordinance.

### **ATTACHMENTS:**

1. Draft Resolution No. 2018-1915
  - a. Exhibit A – Liberty Property Trust PV303 Legal Description
  - b. Exhibit B – Supplementary Zoning Map
2. Draft Ordinance No. 2018-1415
3. Aerial Photo
4. Project Narrative
5. Luke AFB Letter