

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

SUBJECT: Amendment to the Palm Valley Phase V Planned Area Development (Aviva Goodyear)	STAFF PRESENTER: Steve Careccia, Planner III CASE NUMBER: 18-210-00007 APPLICANT: Susan Demmitt, Gammage & Burnham PLC
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PROPOSED ACTION:

1. Conduct a public hearing to consider an amendment to the Palm Valley Phase V Planned Area Development (PAD).
 - a. Open public hearing
 - b. Staff presentation
 - c. Applicant presentation (10 minutes)
 - d. Receive public comment (3 minutes per speaker)
 - e. Close public hearing
2. Recommend approval of the amendment to the Palm Valley Phase V PAD, as set forth in the draft of Ordinance No. 2018-1417, attached hereto.

BACKGROUND AND PREVIOUS ACTIONS:

The General Plan Land Use Plan designates the subject property as ‘Neighborhood’. The ‘Neighborhood’ land use category provides areas for the growth and development of neighborhoods, which include a wide range of densities and housing products that suit the needs of existing and future residents.

The property is zoned Planned Area Development (PAD). The PAD is known as Palm Valley Phase V. The PAD was approved with the adoption of Ordinance No. 03-858 on August 11, 2003. Per the Palm Valley Phase V PAD, the subject property is designated as High Density Residential (UR/H), and is permitted to develop at a maximum residential density of 18 units per acre. Also pursuant to the PAD, the development standards and requirements of the city’s MF-18 (Multi-Family Residential) zoning district are applicable to the property.

A site plan for 288 multi-family units on the 15.9-acre subject property was approved on December 18, 2007. The multi-family complex was never developed, and the site plan has since expired. Any proposal to develop the property for multi-family use will require the submittal of a new application for site plan approval.

STAFF ANALYSIS:

Current Policy:

A request to amend an approved PAD must be processed as a rezoning request, which requires public review and approval by the Planning and Zoning Commission and the City Council. The proposed amendment 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 modify the development standards applicable to a 15.9-acre multi-family parcel within Palm Valley Phase V. The subject property is located at the northeast corner of Indian School Road and Falcon Drive, adjacent to Falcon Park and the Bullard Wash. As previously noted, the property is designated for multi-family development pursuant to the Palm Valley Phase V PAD.

The developer intends to develop a 288-unit multi-family complex on the subject property. However, the developer proposes to modify several of the development standards applicable to the property so as to create a design consistent with their preferred development model. It should be noted that no changes to the allowed residential density are proposed with this PAD Amendment.

The following development standards, as applicable to the Palm Valley Phase V PAD, are proposed to be modified with this PAD Amendment. A staff analysis of the request also follows, as provided below:

1. Building Height

Pursuant to the MF-18 (Multi-Family Residential) zoning district, which applies to multi-family parcels within Palm Valley, the maximum building height applicable to the subject property is 30 feet. An additional five feet of building height is permitted for parapet walls. The request is to increase the maximum building height from 30 feet to 37 feet and to permit parapet walls and other decorative building elements up to a maximum height of 45 feet. The increased building height is being requested as the developer intends to offer vaulted ceilings in some units and increased insulation and sound-proofing between floors. The additional height for the parapet walls is being requested to allow the proper screening of roof-top mechanical equipment and the ability to add unoccupied design elements to the building for architectural enhancement.

Staff Finding

In 2003, the use of the property for multi-family was found to be compatible with the surrounding area, and the overall Palm Valley Phase V PAD was approved. Factors in favor of multi-family use on the subject property included that it was significantly buffered from single family development by public park land and roadways. The property also had efficient access to an arterial street (Indian School Road) and was adjacent to open space amenities.

The requested increase in building height will not affect this previously determined compatibility of the property with the surrounding area. As indicated in the project narrative, the multi-family buildings are proposed towards the center of the subject property. With this central location and buffers provided by the parks and roadways, the nearest single family residential property line is indicated to be over 225 feet from the multi-family buildings. This is a significant separation that will ensure the proposed height increase will not be a detriment to the area. The separation will be further codified as a stipulation of approval (Stipulation No. 3 of Ordinance No. 2018-1417). The height increase will also permit the developer to architecturally enhance the buildings and adequately screen mechanical equipment from public view. And as previously mentioned in this staff report, the increased building height will not result in an increase in the allowed density on the property.

2. Rear Yard Setback

Pursuant to the MF-18 (Multi-Family Residential) zoning district, the minimum rear yard setback is 20% of the lot depth. With a depth of approximately 1,150 feet, a rear yard setback of 230 feet would be applicable to the subject property. The request is to reduce the rear yard setback to 30 feet, which would be consistent with the setbacks permitted for other multi-family residential projects in the city.

Staff Finding

The approximate 230-foot rear yard setback would not be consistent with the rear setback of other multi-family developments within other approved Planned Area Development (PAD) zoning districts. When similar multi-family developments have been located adjacent to single family development, a setback between 50 feet and 100 feet has generally been allowed. When not adjacent to single family development, similar multi-family developments have been allowed 30-foot rear yard setbacks. Because the rear property line is shared with Falcon Park, the requested 30-foot setback is considered appropriate and consistent with other multi-family developments within the city. No single family residences will be affected as there are no homes adjacent to the rear property line. Further justification for the reduced set back in this case is the substantial amenities that are being integrated within the center of the development that would otherwise be installed in the rear yard setback.

3. Minimum Patio/Balcony Area

Pursuant to the MF-18 (Multi-Family Residential) zoning district, patios and balconies are required to have a minimum area of 60 square feet, with no dimension less than six feet. The request is to reduce the minimum area to 45 square feet and minimum dimension to five feet.

Staff Finding

The intent of the minimum patio standards are to ensure that each unit is provided a private outdoor space. The developer intends to provide private patios and balconies but is requesting the patio size reduction in order to utilize a development plan that they found to be successful in the city of Mesa. The project narrative states that ground floor units will be provided patios of at least 100 square feet, which is above the minimum standard, and

that upper floor units will have balconies ranging from 45 to 57 square feet. While the upper floor balconies are proposed to be reduced in size, the developer intends to provide additional common areas and enhanced recreational amenities, including a 150-foot long resort style pool and 8,000 square-foot clubhouse. The proposed amount of recreational open space will exceed the minimum amount, as required by the MF-18 zoning district, by approximately 10%. These additional recreational open spaces, along with the planned amenities, will provide residents with a wide range of activities and areas in which to recreate.

4. Landscape Setback

Pursuant to the MF-18 (Multi-Family Residential) zoning district and Condition No. 12 of Ordinance No. 03-858, a landscape setback of 30 feet is required along the south boundary (adjacent to drainage channel and Indian School Road). Within the landscape setback, no buildings, parking spaces, or other structures may be located. The request is to allow the placement of recreational amenities, such as a dog park, sport court & playground equipment, within a portion of this landscape area along Indian School Road. The request would also allow the placement of a six-foot wall, for screening of the recreational amenities, within the landscape setback.

Staff Finding

The intent of the landscape setback is to provide appropriate separations between uses and an area for trees and other plantings along a public roadway. The request to place recreational amenities in the landscape setback will not affect any single family homes given the intervening approximately 80-foot wide drainage channel and right-of-way for Indian School Road. With these buffers, the nearest single family home is located over 200 feet from the south property line of the subject property. And with existing trees and shrubs within this area, the request to place recreational amenities and screen walls within a portion of this area will not adversely affect the compatibility of the development with the surrounding area. There is a sufficient amount of existing plantings, which will be supplemented with new plantings installed by the developer, to ensure this portion of Indian School Road remains extensively landscaped.

5. Outdoor Lighting Fixtures

Pursuant to the lighting standards within the Zoning Ordinance, the maximum height of a light fixture within 30 feet of a residential property line is six feet. The request is to allow the light fixtures for the recreational amenities, proposed within the 30-foot landscape setback along the south property line, to be placed at a height of 15 feet.

Staff Finding

The requirement for the six-foot fixture height applies when the property line is shared with single family residential, with the intent to prevent light trespass into residential areas. Since the south property line is adjacent to a drainage channel, and then an arterial roadway, the intent of the six-foot height limit restriction is not applicable. Increasing the height of the light fixtures to 15 feet in this area will not adversely affect any single family residences nor vehicles traveling on Indian School Road. The light fixtures will be shielded as required

by the city's lighting code and mounted at a height lower than the adjacent street lights on Indian School Road (±39 feet) and Falcon Drive (±31 feet).

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

As previously mentioned, the General Plan designates this area as 'Neighborhood'. As such, the following standards from General Plan are applicable to the request:

Neighborhood Development Standard 27

High Density Residential – Residential uses with densities over 12 dwelling units per acre may be considered along arterial roads, interstate corridors, transit corridors, adjacent to employment or commercial areas, adjacent to regional or community parks, or open space areas, or to provide transition between residential and non-residential uses. These developments should have access onto an arterial roadway or be able to access an arterial roadway through a commercial or other non-residential development.

The subject property is zoned for multi-family development in accordance with the Palm Valley Phase V PAD. The location of the property remains in conformance with the above locational standard, and the proposed PAD amendment will not have an impact on said standard.

Neighborhood Development Standard 29

High density residential developments should not be located directly adjacent to single family residential developments with densities under five dwelling units per acre unless a public roadway, park or open space area, medium density residential development, or similar features provides a buffer between these uses.

The subject property is not directly adjacent to any single family developments. City parks and/or roadways provide a buffer between the varying residential densities in the area. The proposed PAD amendment will not have an impact on this standard.

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

The subject property is rough graded and currently undeveloped. The property's physical and natural features are suitable for the proposed multi-family use intended with this application. The property will be required to be developed in accordance with all applicable 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 – Falcon Park and then single family residential development within the Palm Valley Phase V PAD.

South – Drainage channel, Indian School Road, and then single family residential development within the PebbleCreek PAD.

East – Falcon Park, Bullard Wash, and an assisted living facility.

West – Falcon Drive and then multi-family development within the Palm Valley Phase V PAD.

As previously found with the approval of the Palm Valley Phase V PAD, the multi-family use permitted on the subject property is compatible with the surrounding area. The proposed PAD Amendment, including the request for additional building height, will not adversely impact this determined compatibility given the intended design and configuration of the site, and especially given the separations between uses provided by the existing city parks and roadways.

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 Air Force Base:

The subject property is located within the vicinity of a military airport. At the time of zoning approval for Palm Valley Phase V, Luke Air Force Base recommended that the developer inform future residents of base operations and the potential for overflights. A stipulation of approval will require the developer to provide notice of base operations to future tenants of the proposed multi-family complex.

Phoenix-Goodyear Airport:

The subject property is located within the Traffic Pattern area of the Phoenix-Goodyear Airport. However, the site is not within or adjacent to the high noise or accident potential zones, and the airport should not be adversely impacted by the proposed development. The previously mentioned stipulation will also address the Phoenix Goodyear Airport.

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 applicant has indicated that the project will offer residents an additional housing choice providing enhanced amenities and recreational opportunities.

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

School Districts:

The subject property is located within the Litchfield Elementary School District and the Agua Fria Union High School District. The school districts were notified of the application and no comments have been received to date.

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	3.19	1.60	3.63	1.81	#183	4.07	2.03	4.11	2.05

Police Response:

The property 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 will have its main access from Falcon Drive. A second point for emergency access only will be provided through a connection to Falcon Park. A gate with an automatic pre-emption device will be provided in accordance with code requirements.

Water/Wastewater:

The subject property will be served by Liberty 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 adjacent 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.*

Public Participation:

A neighborhood meeting was held on November 13, 2018. Approximately 12 residents from the adjacent Palm Valley and PebbleCreek neighborhoods were in attendance. They were concerned with the additional traffic that would result from the new development. They also were concerned with multi-story buildings and preferred single story buildings. The applicant responded that the property had an existing entitlement that allowed multi-family development. They intended to comply with this allowed density and were not planning on any additional units. However, they would like to increase the building height, but this was only to allow taller ceilings and provide for architectural enhancements. The developer responded that a traffic study would be completed with the site plan, and any

issues addressed with the city. The residents in attendance were generally in opposition to the project.

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, including the HOAs for PebbleCreek and Palm Valley Phase V; a legal notice and display ad published in the Arizona Republic on July 20; and a notice of public hearing sign posted on the property.

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

The subject property is an infill property located within the proximity of public services and infrastructure. The property is intended for the type of development proposed with this application.

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 subject property 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 plan, 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:

With the recommended stipulations, staff finds the requested PAD amendment to be in conformance with the General Plan and to not adversely impact the surrounding area. As such, staff recommends conditional approval of the amendment to the Palm Valley Phase V PAD, pursuant to the draft of Ordinance No. 2018-1417, attached hereto.

ATTACHMENTS:

1. Resolution No. 2018-1919
 - a. Exhibit A – Supplementary Zoning Map No. 18-07A
 - b. Exhibit B – Legal Description

- c. Exhibit C – Aviva Goodyear – Planned Area Development Amendment
November 30, 2018
- 2. Ordinance No. 2018-1417
- 3. Aerial Photo
- 4. Illustrative Site Plan