

AGENDA ITEM #: _____

DATE: June 12, 2019

CAR #: 2019-6668



P&Z COMMISSION ACTION REPORT

SUBJECT: Lucero PAD Second Amendment

CASE NUMBER: 19-210-00003

STAFF PRESENTER: Alex Lestinsky, Planner II

APPLICANT: Pete Teiche, Newland Communities

Summary: An amendment to the Lucero Planned Area Development (PAD)

Recommendation:

1. Conduct a public hearing to consider a request to amend the Lucero 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 Lucero Planned Area Development Amendment Regulatory Booklet April 17, 2019, as set forth in the draft of Ordinance No. 2019-1435, attached hereto.

Fiscal Impact: 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.

Background and Previous Actions

On June 13, 2016, the City Council adopted Ordinance 16-1333 rezoning approximately 617 acres to the Lucero Planned Area Development (PAD), subject to stipulations, which allowed for a mix of residential development standards throughout the property. On November 26, 2018, the City Council adopted Ordinance No. 2018-1413, amending the development standards for four parcels.

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 consistent with the General Plan and should not adversely impact the surrounding area.

Details of the Request:

The proposed Amendment to the Lucero PAD modifies the Development Standards that will apply to all parcels in Lucero and restates the currently applicable development standards for the PAD in the Lucero Planned Area Development Amendment Regulatory Booklet April 17, 2019 (the “2019 Lucero PAD”). The modifications to the development standards are to change the front yard setback to allow a 10’ setback to livable space and change the side yard setback from 6’ to 5’. These amendments were made to four parcels at the end of 2018, but with this amendment will apply to all residential parcels within Lucero. The descriptions below are from the 2018 amendment, but still apply as to the justification.

Currently, the minimum front yard setback in Lucero is 18’ and may be reduced to 10’ for side entry garages or front porches. This update would allow casitas, bedrooms, or other livable space areas to be setback from the front property line 10’. It would not change the requirement that garage doors must be setback from the property line at least 18’. With respect to the first change, a reduced front yard setback to livable space is a typical standard that has been incorporated into the city’s Zoning Ordinance. This provides for the option of variation in front yard setbacks.

In regards to the side yard setback, the current side yard setback for all lots except ½ acre lots in Lucero is 6’ to the property line. A 5’ side yard setback is consistent with what the city’s residential districts require, if additional community and design enhancements are provided. The Lucero enhancements include additional park space, pocket parks within each subdivision, integrated commercial at the entry of the community, lot diversity, an enhanced trail system, a water feature at the entry, and additional design elements included in the 2019 Lucero PAD.

Additionally, the amendment updates the existing PAD development standards to incorporate a development standards table that is easier to use and removes some of the narrative descriptions in order to streamline the review process and clarity of development standards in the Lucero community. This update does not change the standards, just the format of the regulatory document. If approved, the Lucero PAD Amendment book dated October 2018 will be replaced with the 2019 Lucero PAD. All stipulations from Ordinance 16-1333 and 2018-1413 were incorporated into the 2019 Lucero PAD, therefore only one stipulation applies, which requires

the development of the property to be in compliance with the city's design guidelines unless modified by the 2019 Lucero PAD.

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 2019 Lucero PAD includes residential zoning that is consistent with the Neighborhoods category of the General Plan. The proposed amendment to the development standards does not change the consistency with the General Plan.

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 modifications to the development standards in the proposed 2019 Lucero PAD do not change the suitability of the property for the permitted uses.

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

The modifications to the development standards in the proposed 2019 Lucero PAD do not change Lucero's compatibility with the surrounding area. Existing land uses and zoning surrounding the Lucero Property include the following:

- North – Proposed King Ranch PAD.
- East – Existing residential development within the Estrella Phase One PAD and Estrella Parkway.
- South – Existing and proposed residential development and proposed mixed-use commercial development within the Estrella Phase One PAD and Estrella Parkway.
- West – Proposed mixed-use commercial development within the Estrella Phase One PAD, proposed King Ranch PAD and Cotton Lane.

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 2019 Lucero PAD does not change the currently approved allowed uses in Lucero. The zoning remains consistent with other land uses in the immediate area.

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 proposed 2019 Lucero PAD does not change the permitted uses or the demand for those uses.

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

School Districts:

The proposed 2019 Lucero PAD does not impact the school districts.

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
#182	6.53	2.77	7.64	3.32	#184	11.74	5.37	12.76	5.88

The proposed 2019 Lucero PAD does not impact Fire Department response times.

Police Department:

Lucero is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property. The proposed 2019 Lucero PAD does not impact the Police Department.

Solid Waste/Recycling:

Solid waste and recycling will be provided by the city of Goodyear. The proposed 2019 Lucero PAD does not change the provision of solid waste/recycling services.

Water/Wastewater:

Water and wastewater services will be provided by the city of Goodyear. The proposed 2019 Lucero PAD does not change the provision of water and wastewater services.

Streets/Transportation:

Lucero has approved access points off Estrella Parkway and the internal streets will be public. The proposed 2019 Lucero PAD does not change the transportation network.

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 exist and are being expanded adjacent to and in the vicinity of Lucero. The proposed 2019 Lucero PAD does not change the public services needed.

8. *General public concerns.*

Citizen Review Process:

In accordance with the City's Citizen Review Ordinance, a neighborhood meeting was held on Wednesday, May 29, 2016. Notices were distributed to property owners within 500 feet of the subject property and to the homeowners association. At the meeting, the applicant presented the details of the amendments to the development standards proposed in the 2019 Lucero PAD to the community. Two residents from the adjacent custom home lots to the east of Estrella Parkway attended the meeting to ask questions about the changes. They did express concerns about the number of egress points to the Lucero

Community with the anticipated 1250 lots, but did understand that since this request is changing the setbacks, there are no changes to the approved traffic impact study. To date, staff has not received any inquiries regarding this request.

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

The proposed 2019 Lucero PAD does not change 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 proposed 2019 Lucero PAD will have no negative affect on the general health, safety and welfare of the citizens of the city and the general public.

Staff Analysis:

The proposed changes to the development standards reflected in the 2019 Lucero PAD is consistent with the Neighborhoods land use designation in the General Plan. The changes reflect standards already permitted by the City's Zoning Ordinance.

The front yard setback allows livable space to be setback from the front property line by 10'. This will allow for additional variation along the streetscape and allow for more opportunity to offset garage dominance.

The change in side yard setbacks, is a reduction by one foot and will not detrimentally change the streetscape. From a functional standpoint, the reduction in the side yard setbacks will not adversely affect the administration of the Fire or Building Codes. The homes will all be located at least five feet or more from the side property lines. However, any projections into the five-foot setback, such as a roof eave, will require fire-rated construction in accordance with applicable Fire/Building Codes

Attachments

1. Draft Resolution
 - a. Exhibit A – Supplementary Zoning Map
 - b. Exhibit B – Legal Description
 - c. Exhibit C – Lucero Planned Area Development Regulatory Booklet, April 17, 2019
2. Draft Ordinance
3. Aerial Photo
4. Project Narrative