

AGENDA ITEM #: _____

DATE: June 12, 2019

CAR #: 2019-6669



P&Z COMMISSION ACTION REPORT

SUBJECT: Sparrow Rezone

CASE NUMBER: 19-200-00004

STAFF PRESENTER: Alex Lestinsky, Planner II

APPLICANT: Luke Bourlon, Sparrow Capital Partners

Summary: Rezone ~8 acres of property located south of the southeast corner of McDowell Road and 145th Avenue from C-2 to MF-24 with a PAD Overlay.

Recommendation:

1. Conduct a public hearing to consider a rezone of approximately 8 acres from the General Commercial (C-2) zoning district to the Multi-Family (MF-24) district with Planned Area Development (PAD) Overlay.
 - 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 Sparrow MF-24 PAD Overlay, as set forth in the draft of Ordinance No. 2019-1436, 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 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

The General Plan Land Use Plan designates the subject property as ‘Business & Commerce’ with a ‘Transit Oriented Development (TOD) Overlay’. The ‘Business & Commerce’ land use category provides areas for the growth and development of Goodyear’s economic base, including high density residential that supports the area. The TOD Overlay denotes areas within walking distance to a major future or existing transit route. Higher density and intensity uses are encouraged in the TOD Overlay.

The property was zoned General Commercial (C-2) on October 23, 2000, by Ordinance No. 2000-710.

Staff Analysis

Current Policy:

A request to rezone property 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 should be consistent 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 8 acres of land currently zoned General Commercial (C-2), to MF-24 with a Planned Area Development Overlay (PAD), to be called the Sparrow Partners – MF-24 PAD Overlay. The overlay includes a deviation from four MF-24 district standards: maximum building height; maximum accessory building height, rear and side setback; and parking requirement.

The proposed deviations from the city’s MF-24 standards are as follows:

Standard	MF-24	Proposed
Max. Bldg. Height	40’	50’
Max. Accessory Bldg. Height	12’	16’
Rear yard setback (east)	20% of lot depth	10’ to accessory structures 50’ from structures for residential occupancy
Side setback (north)	20’	10’ to accessory structures 50’ from structures for residential occupancy
Parking Requirement	1.5 per 1-bedroom unit 2 per 2-bedroom unit 1 guest spot per 10 units (316 spaces)	1.35 spaces per unit (243 spaces)

Staff supports the PAD request to deviate from four of the MF-24 development standards and the request to deviate from the parking standards. The deviation of these standards is supported by

General Plan Standard 55, which allows for additional building intensity through modified standards such as increased height and reduced setbacks for properties within the Transit Oriented Development Overlay.

The applicant has submitted a conceptual site plan with the PAD that demonstrates how the property may be developed with 180 multi-family dwelling units at approximately 22 units per acre, with a clustering of 4-story buildings. The site plan proposes a development consisting of four-story multi-family buildings. Due to the location of the parcel, two driveway entries would be required to access the development from 145th Avenue.

The applicant has represented that this will be a 55+ community and has demonstrated that due to the typical age and lifestyle of the residents, and how their existing facilities operate elsewhere, the city's parking requirements exceed what is necessary and, if required, will detract from the possible amenities. Stipulations have been added to require that the property be an age restricted community and that the represented amenities will be constructed. If the property is not age restricted, the parking requirements in Article 6 of the Goodyear Zoning Ordinance will apply.

The proposed use and the development of the site will be required to proceed through the site plan review process to ensure the development meets the City's adopted design guidelines, developments standards, codes, and ordinances, except as modified by the development standards included in the PAD Development Regulations.

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 mentioned in the Background and Previous Actions section, the General Plan designates this area as 'Business and Commerce' with a 'TOD Overlay'.

Standard 41

High Density residential development is permitted in the Business & Commerce category when located adjacent to commercial areas. Circulation and access to necessary amenities such as grocery stores shall be taken into account when considering this type of category in the Business & Commerce category

High density is defined by the General Plan as 12 dwelling units per acre. To ensure that the multi-family zoned area adjacent to the freeway is in conformance with the General Plan, stipulation #3 has been added to provide a minimum dwelling count.

Standard 54

Development in the TOD Overlay should be pedestrian oriented.

In order to increase and encourage pedestrian connectivity, stipulation #4 has been included. This requires the site to include pedestrian paths to the city owned property and to demonstrate pedestrian connections to the commercial parcels north and west of the site.

Standard 55

When vertical mixed use development or Traditional Neighborhood Development (TND) principles are utilized, additional building intensity (such as height and reduced setbacks) and increased residential may be granted.

Standard 58

Higher density and intensity uses are encouraged in the TOD Overlay.

This PAD includes high density residential (up to 24 dwelling units per acre). The PAD emphasizes and requires pedestrian connectivity between the commercial and multi-family uses, meeting the requirements of 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 is currently vacant. The property's physical and natural features are suitable for the proposed multi-family and commercial uses. The property is 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 – General Commercial (C-2) Palm Place Plaza, existing medical office complex
South – City owned property, I-10 freeway
East – Light Industrial (I-1), McLane Company
West – Currently vacant land zoned for commercial uses under the Centerscape at Palm Valley PAD

The multi-family use will be compatible with the development in the surrounding area with the addition of a requirement for strong integration between the commercial and multi-family components.

Commercial and Industrial development projects typically require additional separation from residential developments and landscape buffers. To meet the intent of the zoning requirements that there be a landscape buffer between residential developments and commercial and industrial developments, the rezoning requires the Sparrow Property to construct ten foot (10') landscaped buffers along the northern property line adjacent to the

property to the north, which is zoned C-2 and along the eastern property line adjacent to the property to the east, which is zoned I-1. To meet the intent of the zoning requirements requiring additional separation between residential developments and commercial and industrial developments and to minimize the impact the residential development has on future development of the commercially zoned property to the north and on the industrial zoned property to the north, the rezoning imposes increased setbacks from the northern and eastern property lines. Specifically buildings for residential occupancy are required to be set back at least 50 feet from the north property line and 50 feet from the east property line. the development standards and stipulations for the Sparrow have been structured in a way to contemplate that the that would allow the adjacent neighboring properties from developing consistent with the existing zoning.

These requirements are noted in the PAD Regulatory book and reinforced by stipulation where necessary.

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.*

Interstate 10:

The property is 500+ feet away from Interstate 10, which does not require a noise study. The property the city purchased from the County serves as a large buffer between this property and Interstate 10.

Luke Air Force Base:

The proposed PAD is located outside the high noise or accident potential zones for Luke Airforce Base, but is located within the vicinity of a military airport. Notice was provided to Luke AFB and they have indicated that although the density does not meet the Graduated Density Concept, given the location of the subject property, base operations will not be adversely impacted by this proposed multi-family development. As recommended by Luke AFB, a stipulation has been provided that requires the developer and/or owner to disclose any subsequent renter by means of recording an avigation notice that the subject property is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from Luke Air Force Base and/or the Phoenix-Goodyear Airport.

Phoenix-Goodyear Airport:

Although the property may experience aircraft overflights since it is located within the Traffic Pattern area of the Phoenix-Goodyear Airport, the site is not within or adjacent to the high noise or accident potential zones. 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 project will allow for high quality, higher density residential uses adjacent to the Goodyear Planned Regional Center and the Centerscape at Palm Valley commercial center.

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 Avondale Elementary School District and the Agua Fria Union High School District. The school districts were notified of the application and did not provide objection to the request. Additionally, the community is intended to be age-restricted therefore will likely not have any impact to the school districts.

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
#183	4.72	2.36	4.72	2.36	#185	6.82	3.41	6.82	3.41

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 multi-family component will have its' main and secondary vehicular entrances off of 145th Avenue. There is an existing traffic signal at 145th Avenue and McDowell Road. The commercial areas to the north and west will also utilize 145th Avenue for access. At the time of site plan review, the required connections to public streets will be reviewed for compliance with City engineering and public safety standards.

Water/Wastewater:

The subject property will be served by city of Goodyear water and 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 proposed rezoning is within proximity 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:

As allowed by the Citizen Review Process, and as an alternative to holding a neighborhood meeting, a postcard was mailed to the owners of all property within 500 feet of the boundaries of the subject property, notifying them of the request to rezone. To date, staff has not received any inquiries or objections as a result of this notice.

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. To date, staff has not received any public inquiries as a result of this notice.

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

The subject property is an infill property located within the proximity of City services and infrastructure. The site utilizes city water and wastewater services.

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 anticipated multi-family development 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

Attachments

1. Draft Resolution No. 2019-1973
 - a. Exhibit A – Supplementary Zoning Map No. 19-04
 - b. Exhibit B – Sparrow Development Legal Description
 - c. Exhibit C – Sparrow Partners – MF-24 with PAD Overlay – Development Regulations
2. Draft Ordinance No. 2019-1436
3. Aerial Photo
4. Project Narrative