

AGENDA ITEM #: \_\_\_\_\_

DATE: August 19, 2019

CAR #: 2019-6743



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Amendment to the PV303 Planned Area Development for the Camelback Center

**CASE NUMBER:** 19-210-00005

**STAFF PRESENTER:** Steve Careccia, Planner III

**APPLICANT:** Jeff Blilie, Beus Gilbert PLLC

**Summary:** An amendment to the zoning of a portion of the Property within PV303 Planned Area Development to apply the 2018 PV303 development standards to approximately 284 acres of industrial zoned property to be developed as the Camelback Center.

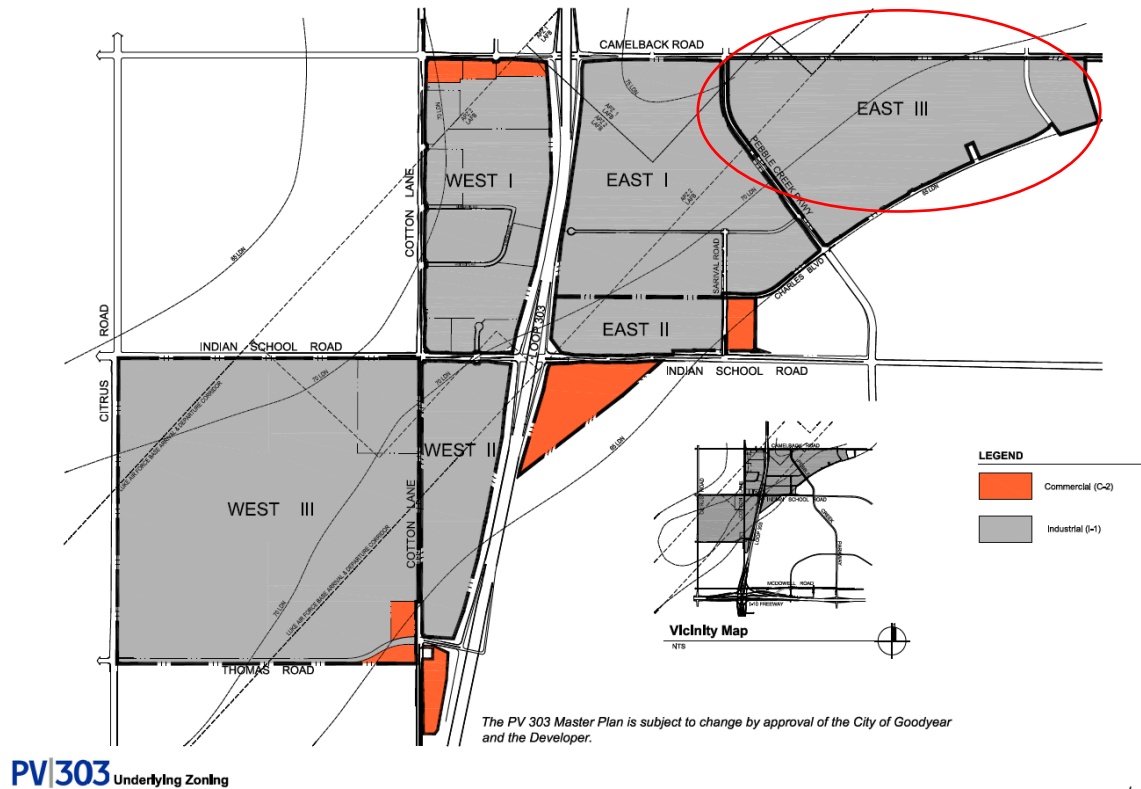
### Recommendation:

1. ADOPT RESOLUTION NO. 2019-1991 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP 19-05A CITY OF GOODYEAR, AZ – REZONE CASE”; “CAMELBACK CENTER – LEGAL DESCRIPTION”; AND “PV303 PAD DEVELOPMENT PARAMETERS AND USES JUNE 2018.”.
2. ADOPT ORDINANCE NO. 2019-1448 CONDITIONALLY AMENDING THE PV303 PLANNED AREA DEVELOPMENT (PAD) TO APPLY THE PV303 PAD DEVELOPMENT PARAMETERS AND USES JUNE 2018 TO AN APPROXIMATELY 284-ACRE PORTION OF THE PV303 PAD, PHASE EAST III, GENERALLY LOCATED BETWEEN CAMELBACK ROAD AND CHARLES BOULEVARD; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR REPEAL OF CONFLICTING LAWS; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

**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

The development known as Palm Valley 303 consists of approximately 1,800 acres generally located south of Camelback Road, east and west of the Loop 303 (the PV 303 Property). The PV 303 Property is zoned PAD District (Planned Area District). The initial phase of Palm Valley 303 (then known as Phase 1) was zoned PAD with the adoption of Ordinance No. 2005-948 on June 27, 2005. The remainder of the PV 303 Property (then known as Phases II, III, IV, V, and VI) was zoned PAD by the adoption of Ordinance No. 2007-1097. The subject property is a portion of what was previously known as Phase IV but which has since been re-designated as East III (see below).



The PV 303 Property, although all zoned PAD, is subject to different development standards, which resulted from various zoning amendments that amended various development standards applicable to specific portions of the PV 303 Property. The amended development standards include:

- Standards applicable to the portion of the PV 303 Property identified as Phase I (now known as West I) and Phase II (now known as East I) that allowed for roll-up doors along Loop 303 and along certain sections of Indian School Road, Cotton Lane, Camelback Road and Charles Boulevard, if certain conditions were met (Ordinance No. 2011-1243);
- Standards that increased the maximum allowed building heights within Phase I (now known as West I), Phase II (now known as East I), Phase V (now known as West II) and Phase VI (now known as West III A and West III B) (Ordinance No. 2015-1318);

- Standards that increased the maximum building heights within Phase VI (now known as West III) from 75 feet to 130 feet for industrial buildings (Ordinance No. 2018-1391);

The development standards that currently apply to the subject property, which is a portion of Phase IV (now known as East III) are the standards adopted by Ordinance 2017-1346, the PV 303 Planned Area Development Plan dated February 2017, and the PV 303 Master Design Guidelines and Comprehensive Sign Package dated October 1, 2007.

The Planning and Zoning Commission considered this item at a public hearing held on August 7, 2019. The Commission unanimously voted (7-0) to forward a recommendation of approval to the City Council. There was no opposition to the item voiced at the hearing.

## **Staff Analysis**

### **Current Policy:**

The request to amend PAD zoning 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:**

This request is to amend the PAD zoning on approximately 284 acres of the PV 303 Property, which is a portion of the PV 303 Property known as Phase East III (formerly Phase IV) and which is to be developed as the Camelback Center. The subject property has an underlying land designation of Light Industrial. The owner intends to develop the subject property in conformance with the property's underlying Light industrial land use. The proposed development plan for the property includes warehouse and distribution buildings with roll-up doors. The current development standards applicable to the subject property do not permit roll-up doors to face Camelback Road. However, the owner would like the ability to orient the distribution buildings in an east-west configuration for climate and sun-exposure purposes, which would result in roll-up doors facing Camelback Road.

The owner is asking that the updated PAD development standards allowing for roll-up doors along Camelback Road that were adopted for Phase II and Phase III of the PV 303 Property be applied to the subject property. This would allow roll-up doors along the sections of Camelback Road and Charles Boulevard, both of which are adjacent to the subject property. (As discussed below, staff's recommendation is to prohibit roll-up doors facing Charles Boulevard on any building within 300 feet of Charles Boulevard)

To promote compatibility between the proposed industrial uses in within the PV 303 Property and the existing neighborhoods to the south of Charles Boulevard, Ordinance No. 2007-1097 was approved with stipulations limiting building heights and permitted uses on the portions of the PAD within 300 feet of Charles Boulevard. It should be noted that there will be no changes to the stipulations as a result of this PAD Amendment. The protections related to building height and permitted uses will remain as approved with Ordinance No. 2007-1097.

**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 existing PAD zoning provides for industrial and commercial development that has been previously determined to be consistent with the 'Business and Commerce' land use category of the General Plan. The proposed PAD amendment does not change this 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 have been previously determined to be suitable for industrial and commercial development. The proposed PAD amendment does not change the suitability of the property for the uses permitted under the existing PAD Zoning.

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

Existing land uses and zoning surrounding the subject property include the following:

- North – Camelback Road and properties under the jurisdiction of Maricopa County zoned AD-2 and RU-43.
- East – Falcon Drive and commercial and residential properties within Palm Valley Phase V.
- South – Charles Boulevard and existing residential development within Palm Valley Phase V.
- West – Pebblecreek Parkway and planned industrial development within the PV303 PAD.

The uses allowed within the existing PAD zoning have previously been determined to be compatible with surrounding uses and zoning. The proposed PAD amendment does not change this compatibility with surrounding uses and zoning.

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 PAD amendment does not change the industrial uses currently permitted in the existing PAD zoning for the subject property. As such, the zoning remains consistent with other land uses existing and planned within the immediate area, including Luke Air Force Base and 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 proposed PAD amendment 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 PAD amendment does not impact the school districts.

Fire Department:

The proposed PAD amendment does not impact Fire Department response times. 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
#185	2.27	1.14	4.53	2.27	#183	6.56	3.28	8.82	4.41

Police Department:

The proposed PAD amendment does not impact the Police Department. The PV303 PAD is located within an existing patrol beat and the current level of service within the patrol beat can accommodate development of the property.

Solid Waste/Recycling:

The proposed PAD amendment not change the provision of solid waste/recycling services.

Water/Wastewater:

Water and wastewater services will be provided by Liberty Utilities. The proposed PAD amendment does not change the provision of water and wastewater services.

Streets/Transportation:

The proposed PAD amendment 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 the amendment area. The proposed PAD amendment 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 Tuesday, July 30. Notice of the meeting was distributed to property owners within 500 feet of the subject property along with Maricopa County, Luke Air Force Base and the Palm Valley Phase V HOA.

Approximately eight residents were in attendance at the neighborhood meeting. Attendees wanted clarification that the proposed amendment would not affect the 300-foot buffer north of Charles Boulevard, in which the applicant responded that no changes were proposed. The general sentiment of the attendees was that additional industrial development in the area was not preferred but that they understood the existing zoning did allow for industrial uses.

The Planning and Zoning Commission considered this item at a public hearing held on August 7, 2019. After the staff presentation the applicant presented to the Commission. No members of the public spoke regarding the item. The Commission unanimously voted (7-0) to forward a recommendation of approval to the City Council.

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

The proposed PAD amendment does not change the planned orderly growth and development of the area in accordance with the existing PAD Zoning.

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.*

As stipulated, the proposed PAD amendment will not have any negative affect on the general health, safety and welfare of the citizens of the city and the general public.

#### **Staff Analysis:**

The requested amendment to the existing PAD zoning will be in conformance with the General Plan and compatible with the surrounding area. Buildings with roll-up doors will only be permitted to face Camelback Road with the provision of both landscaped berms and masonry walls along with a continuous row of 24-inch box trees for screening purposes. As previously noted, stipulations to promote compatibility between the PV303 development and existing neighborhoods to the south of Charles Boulevard were adopted with Ordinance No. 2007-1097, with the stipulations limiting building heights and permitted uses within 300 feet of Charles Boulevard. To further promote compatibility between these adjacent industrial and residential land uses, staff is recommending a stipulation clarifying that buildings within 300 feet of Charles Boulevard may not have roll-up doors facing Charles Boulevard. This will help mitigate any adverse impacts associated with noise and traffic on these residential neighborhoods.

#### **Attachments**

1. Resolution No. 2019-1991
  - a. Exhibit A – Supplementary Zoning Map No. 19-05A

- b. Exhibit B – Legal Description
  - c. Exhibit C – PV303 PAD Development Parameters and Uses June 2018
- 2. Ordinance No. 2019-1448
- 3. Aerial Photo
- 4. Project Narrative