

AGENDA ITEM #: _____

DATE: October 16, 2019

CAR #: 2019-6777



P&Z COMMISSION ACTION REPORT

SUBJECT: Major General Plan Amendment – Lakin Park Area

CASE NUMBER: 19-700-00001

STAFF PRESENTER(S): Joe Schmitz, Long Range Planner

APPLICANT: COG Development Services Department

Summary: Request for a Major Amendment to the Goodyear 2025 General Plan for the Lakin Park Area consisting of 2,283 acres located south and east of MC85, west of Sarival Avenue and north of the Gila River to amend Figure 8.1, Land Use and Transportation Plan Map, in Chapter 8 of the General Plan by changing the land use designations on certain lands from residential to non-residential; changing the land use designations on certain lands in the floodway of the Gila River from residential to open space; and revising the alignment of the Loop 303 and SR30 freeways to reflect the location depicted in the Final Location/Design Concept Report prepared by the Arizona Department of Transportation.

Recommendation:

1. Conduct a public hearing to consider a request for a Major General Plan Amendment for 2,283 acres in the Lakin Park Area:
 - 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 Major General Plan Amendment for 2,283 acres in the Lakin Park Area, as set forth in the draft of Resolution No. 2019-1999 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.
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Background and Previous Actions

The current Land Use and Transportation Plan was adopted in 2014 with the approval and ratification of the Goodyear 2025 General Plan. The Plan designates the majority of the Lakin Park Area as Traditional Neighborhoods with the remainder of the area designated as Scenic Neighborhoods. This proposed Major General Plan Amendment would change most of the residential land use categories in this area to non-residential categories in the vicinity of the planned Loop 303 and SR30 freeways which are expected to traverse this area. This Major General Plan Amendment is being proposed by the staff of the Development Services Department, in cooperation with some of the major landowners in this area, to encourage development of non-residential uses adjacent to the future freeways. It will also revise the alignment of the Loop 303 and SR30 freeways to reflect the location depicted in the Final Location/Design Concept Report prepared by the Arizona Department of Transportation.

At the same time, applications have been submitted by the owners of the Lakin property and the Goodyear 82 property proposing to rezone their lands to industrial and commercial zoning districts that would be consistent with the Industrial and Business & Commerce land use categories proposed in this Major General Plan Amendment.

Most of the property that is located in the city in this area is zoned AU, Agricultural Urban, district, and most of the property located in the county in this area is zoned RU-43 Rural.

Staff Analysis

Current Policy:

Chapter 9 of the General Plan defines what type of change is considered a Major Amendment, Minor Amendment, or No Amendment. A change to a property's land use categories that affects more than 160 acres is considered a Major General Plan Amendment. A Major General Plan Amendment requires two public hearings before the Planning and Zoning Commission (one of which must be at a location other than the regular meeting place) and one public hearing before the City Council. All Major Amendments to the General Plan are processed at the same time so that their cumulative effect may be considered. For this year, only one Major General Plan Amendment was submitted.

Chapter 9 of the Goodyear 2025 General Plan states that Major Amendments to the General Plan should address certain criteria in order to be considered for approval.

Details of the Request:

This Major Amendment is being proposed in cooperation with several property owners within the amendment area. More specifically, the Lakin Cattle Company owns approximately 750 acres along both sides of Cotton Lane between MC85 and the Gila River. This owner is working with Quantum Capital to develop the property and had filed a rezoning request with the city in

December of 2018. At about the same time, the owners of 82 acres of land (Ironline Partners – Goodyear 82 LLC) - formerly part of Riverside Park - filed a rezoning request for their property.

Both developments proposed some type of residential land uses, based on the Neighborhood Land Use Category shown on the General Plan for these properties. During the review of these rezoning requests, City staff expressed concerns as to how the proposed residential uses would be protected from the potential adverse impacts that might be caused by the freeways planned for this area. In addition to the impact of the freeways, there also were concerns regarding how certain development issues would be addressed, such as, the Gila River flood plain and floodway, the high voltage electric transmission line corridor, the proximity of residential uses to the Union Pacific Railroad line on the north side of MC85, the high pressure natural gas transmission pipeline, the Buckeye Irrigation District canal, and the Maricopa County Flood Control District's Loop 303 Outfall Channel.

After discussions with the property owners, it was proposed that the current land use designations of these properties be changed from residential to non-residential land uses, and the city would prepare and process a proposed Major Amendment to the General Plan that would be necessary to implement these changes. The owners of the Lakin Cattle Company property and Ironline Partners – Goodyear 82 LLC, have agreed to allow the city to proceed with this proposal. In addition, the owner of the 60 acres east of and adjacent to the Goodyear 82 parcel (Insight Holdings, LLC; Regency Goodyear, LLC; Goodyear 142, LLC; and Ideal Staple Company) has also agreed to support this proposal. The cooperating owners represent 892 acres of the total of 2,283 acres, or about 39% of the Lakin Park Area.

It should also be noted that about 345 acres within the amendment area are owned by the Flood Control District of Maricopa County, who purchased property in this area in the early 1990's to have better control over the main channel of the Gila River. Another 212 acres are owned by the Arizona State Land Department and 40 acres are owned by the Bureau of Land Management. A total of 597 acres are owned by a public entity which represents about 26% of the amendment area. When combined with the area owned by participating property owners, about 1,489 acres, or a little over 65% of the amendment area, are either owned by a public entity or a participating property owner. Of the remaining 794 acres, 402 acres are owned by a sand and gravel company, and 392 acres are owned by about a dozen other property owners.

Table 1. – Property Owners and Acreage		
Property Owner	Acres	% of Total
Lakin	750	32.9%
Ironline Partners	82	3.6%
Insight Holdings, et.al.	60	2.6%
FCDMC	345	15.1%
ASLD	212	9.3%
BLM	40	1.7%
Sand and Gravel Co.	402	17.6%
Others (12)	392	17.2%
Total	2,283	100.0%

As presented, this Major Amendment proposes the following:

1. Changes to the land use categories for most of these properties from a residential category (Scenic Neighborhood and Neighborhood) to a non-residential category (Business & Commerce or Industrial) which are considered to be more compatible with the planned development of freeways through this area.
2. Changes to the land use categories for certain lands located within the floodway of the Gila River from a residential category (Scenic Neighborhood and Neighborhood) to the Open Space category which is considered more compatible with the floodway designation. The Open Space land use category would still allow development at a density of at least one residential unit per acre, as provided by state law, but any such development would still need to comply with all applicable federal, state and local codes and regulations related to floodplains and floodways.
3. Revise the Land Use and Transportation Plan Map (Figure 8.12 in Chapter 8 of the Goodyear 2025 General Plan) to more accurately represent the future location of the SR303L and SR30 freeways, as depicted in the Final Location/Design Concept Report (L/DRC) and its associated Final Environmental Assessment (EA) that were prepared by the Arizona Department of Transportation (ADOT) for ADOT Project No. 303 MA 100 H6870 01L and for which a Finding of No Significant Impact (FONSI) was Issued by the Federal Highway Administration (FHWA) in November 2018.

A comparison of the existing land uses to the proposed land uses is contained in Table 2. Below.

Table 2. – Land Use Comparison – Existing v. Proposed					
Land Use Categories	Existing (acres)	% of Total	Proposed (acres)	% of Total	Inc/Dec (Acres)
Scenic Neighborhood	880	38.5%	138	6.0%	-742
Neighborhood	742	32.5%	115	5.0%	-627
Business & Commerce	41	1.8%	297	13.0%	256
Industrial	0	0%	685	30.0%	685
Open Space	620	27.2%	1048	45.9%	428
Total	2,283	100.0%	2,283	100.05	-

With respect to the existing land use categories, the predominant land use in the amendment area is residential 38.5% in the Scenic Neighborhood category and 32.5% in the Neighborhood category. Less than 2% of the amendment area is designated Business & Commerce, mainly in the vicinity of the future intersection of the SR30 and Sarival Avenue. No lands were shown in the Industrial land use category and about 620 acres, or 27.2%, were designated as Open Space.

The proposed Major Amendment would change most of the lands currently designated for residential land use categories to non-residential land use categories. This change is being proposed due to the fact that the Location/Design Concept Report for the Loop 303 was recently completed by ADOT and identified the planned alignment for these freeways, as well as the location of the future Traffic Interchange for the Loop 303 and SR30. It is believed that non-residential land uses would be more compatible with the future freeways.

The amount of land previously proposed for Scenic Neighborhood would be reduced by 742 acres from 880 to 138 acres. Most of this change removes land from the Scenic Neighborhood designation and designates it Open Space due to its location in the floodway of the Gila River. The 138 acres that will remain after this change are outside of the floodway, but will still be impacted by the flood plain which will make it difficult, but not impossible to develop. The General Plan states that the Scenic Neighborhood land use category provides areas for the preservation and growth of neighborhoods that include large lots or cluster development with large open spaces and a more rural character. Residential development in the Scenic Neighborhood land use category typically will have one-acre lots or larger, but may be clustered on small lots when combined with preservation of open space areas and natural significant land features.

Likewise, the amount of land proposed for Neighborhood will be reduced by 627 acres from 742 to 115 acres. This reduction is primarily due to a change from residential uses to non-residential uses along the planned SR30 freeway corridor. The 115 acres that will remain in the Neighborhood land use category are primarily located along the east side of MC85 from the intersection at Southern Road to the intersection with Perryville Road and are outside of the flood plain.

The amount of land that is proposed for the Business & Commerce land use category will increase by 256 acres from 41 to 297 acres. The land proposed for inclusion in this category is located south of the north line of the electric transmission line corridor that crosses this area and the southern boundary of the Lakin property. It also includes the land north of the electric transmission line corridor between the Loop 303 Outfall Channel and MC85 which may be considered for multi-family development. The Business & Commerce land use category is being recommended for this area due to its potential access to the SR30 at Sarival Avenue and to serve as a transition land use between the future SR30 freeway and the river. This area presently is impacted by flood plain issues that makes it less desirable for residential uses.

The Industrial land use category is being proposed for 685 acres located south of MC85 and north of the electric transmission line corridor from Sarival Avenue to the Loop 303 Outfall Channel. The Industrial land use designation is being recommended for this area because of its proximity to the planned freeways and MC85 and access to natural gas and electric power. The presence of a natural gas transmission line, high voltage electric transmission lines, flood plain designation and railroad are impediments to residential development, but would not be as much of a negative factor for non-residential development.

In addition to the changes in the land use categories proposed by this Major Amendment to the General Plan, the Land Use and Transportation Plan Map (Figure 8.12 in Chapter 8), is being amended to more accurately represent the future location of the SR303L and SR30 freeways, as depicted in the Final Location/Design Concept Report (L/DRC) and its associated Final Environmental Assessment (EA) that were prepared by the Arizona Department of Transportation (ADOT) for ADOT Project No. 303 MA 100 H6870 01L and for which a Finding of No Significant Impact (FONSI) was Issued by the Federal Highway Administration (FHWA) in November 2018. The future freeways were shown in the same approximate location on the

Land Use and Transportation Plan Map in the Goodyear 2025 General Plan, but the location of these freeways was further refined by the L/DCR and environmental documents.

The current alignment for these freeways shown in the Goodyear 2025 General Plan appear to occupy approximately 87 acres, while the new alignment may occupy as much as 306 acres due to a more detailed depiction of the right-of-way needed for the new Traffic Interchange. The property underlying the ROW will still carry a land use designation in case the alignment moves as construction plans are developed.

The area subject to this General Plan Amendment includes area subject to the “El Rio Design Guidelines and Planning Standards” that were adopted by the Goodyear City Council through Resolution No. 16-1761 on May 23, 2016 (the “El Rio Plan”). This area is identified in the El Rio Plan as the “Goodyear North Bank Development Character Area.” The El Rio Plan is predicated on the area being developed under the existing land uses, which uses are being changed with this General Plan Amendment. Although the El Rio Plan contemplated a certain sort of development, the plan itself acknowledged that this character of this area could be heavily impacted by the future Loop 303 and SR 30 system to the system interchange, which is what is occurring and these heavy impacts are the reasons for the general plan amendment.

Evaluation Criteria:

Chapter 9, Amendments and Public Participation, specifies the Amendment Review Criteria to be used in reviewing a proposed amendment. The following information identifies these criteria and how this proposed amendment to the General Plan complies with those criteria.

1. The amendment must forward the vision for Goodyear as described in Chapter 3 of the General Plan.

The vision statement for Goodyear is to “create a highly desirable and sustainable place for all to live, work, visit, and play.” The vision statement is supplemented by nine Fundamental Strategies which in turn are implemented by twenty-three community goals that were identified during the General Plan planning process and are reflected in Chapter 4 of the General Plan. The changes proposed support Strategy 5, Advance Economic Opportunity, since they will provide more acres of land in the Business & Commerce and Industrial categories which, when developed, will help build a strong economic base and strengthen the local economy.

2. The amendment must be consistent with the goals, objectives, and policies contained within the General Plan.

The proposed amendment does not conflict with the goals, objectives and policies in the Goodyear 2025 General Plan, and, more specifically, it supports the following goals, objectives and policies:

Goal GD-1.

A compatible mix of land uses that fosters a quality community, with livable and safe neighborhoods, a healthy population, a strong economy and a sustainable environment.

Objective GD-1-2. Integrate land use planning with transportation planning to establish fiscally sustainable, environmentally sustainable and healthy community.

This amendment promotes the establishment of commercial and industrial land uses along freeway corridors to avoid the potential negative impacts highways can have on residential development.

Objective GD-1-3. Create an appropriate jobs-to-housing ratio within the community to provide new opportunities to residents and increase sales tax revenue.

This amendment promotes the establishment of commercial and industrial land uses instead of residential uses which will provide more opportunity for employment uses and would benefit the jobs-to housing ratio.

Goal GD-3.

***A connected community with a well-functioning roadway network of complete streets that meets the needs of its residents, workforce, and visitors.
(Transportation/Circulation)***

Objective GD-3-1. Establish and maintain a well-functioning roadway network.

This general plan amendment serves to acknowledge the work done by ADOT in planning future freeways and provides notice to developers where ROW is likely to be needed and preserved.

Goal ED-1.

A resilient and diversified economy. (Economy)

Objective ED-1-2. Ensure that infrastructure and the Land Use and Transportation Plan enhance economic development and job growth.

The proposed amendment designates land near important assets such as the Loop 303 and SR30 for employment uses.

- 3. The amendment must align with at least one of the fundamental strategies identified in Chapter 3 and shall not conflict with any of the fundamental strategies.***

The proposed amendment supports Strategy 5. Advance Economic Opportunity. The changes proposed support this strategy by providing more acres of land in the Business & Commerce and Industrial categories which, when developed, will help build a strong economic base and strengthen the local economy.

- 4. The amendment must not negatively impact the implementation of any City-approved Master Plan or shall provide mitigation measures to alleviate the potential impact.***

The amendment will not negatively impact the implementation of any Master Plan. The projected potable water demand and wastewater flows for commercial and industrial uses are likely to be greater than if the property were to develop in accordance with its current residential land use designations, based on the generation rates from the 2008 Integrated Water Master Plan and City of Goodyear Engineering Design Standards and Policies Manual. The amendment area is close to existing water and wastewater treatment facilities that have sufficient land and can be expanded to meet demand when needed. Distribution system and collection system lines will be constructed by the new developments when they are ready to commence.

5. The amendment must constitute an overall improvement to the General Plan.

Changing the future land use categories in the Lakin Park Area from residential to non-residential will result in an overall improvement to the General Plan by better matching appropriate non-residential land uses with the high capacity roadways planned in the Transportation Plan. Non-residential uses are less likely to be negatively impacted by the planned freeways and will more likely benefit from their proximity and access to the regional transportation network.

6. The amendment will not adversely impact a portion of, or the entire community, by:

a. Significantly reducing the balance of residents and jobs.

The proposed amendment will not reduce the balance of residents and jobs, but rather would improve the jobs to housing ratio by changing the area from residential to non-residential land uses and resulting in less dwelling units and more jobs.

b. Increasing traffic without mitigation.

While it is likely that traffic will increase with the development of industrial or commercial land uses, this area will be well-served by highway infrastructure and the planned roadway system in this area will be able to handle this increase in traffic.

c. Requiring additional and more expensive improvements to infrastructure without mitigation.

The proposed changes in land use categories are compatible with the planning for infrastructure improvements in this area which includes the city's new surface water treatment plant, an existing natural gas transmission line, high-voltage electric transmission lines, and the city's existing water reclamation facility.

d. Significantly altering the existing character of an area in a negative and unplanned way.

The proposed changes in land use categories will not significantly alter the character of the area in a negative way. While more land is being designated for non-residential use adjacent to the freeways and highways, a significant amount of land is also being designated for open space, or very low density residential, to promote

preservation of the natural environment in the river corridor. The character of the area will also be addressed as properties go through the rezoning and development review process.

e. Diminishing the environmental quality of the air, water, land, or cultural resources.

The change from residential to non-residential land uses should not diminish the environmental quality of the air, water, land, or cultural resources in this area. All new development will have to meet existing development standards for non-residential uses that are designed to minimize the negative impacts of new commercial or industrial developments. Land that is located in the flood plain or floodway of the Gila River will not be developed unless the laws, rules and regulations pertaining to such development have been met.

PUBLIC PARTICIPATION:

A public hearing was held on this proposed Major General Plan amendment on September 25, 2019 at the Las Brisas Academy. Notice of that public hearing was published in the Southwest Edition of the Arizona Republic on September 6, 2019. Signs were posted on the property at two locations on September 9, 2019 and postcards advising the owners of the property affected by this proposed amendment and those within 500 feet, were mailed on September 6, 2019.

This is the second public hearing on this matter. Notice of this public hearing was published in the Southwest Edition of the Arizona Republic on September 27, 2019. Signs were posted on the property at two locations on September 9, 2019, and postcards advising the owners of the property affected by this proposed amendment and those within 500 feet were mailed on September 30, 2019.

A letter expressing support for the proposed Major General Plan Amendment was received from Taylor Earl, Earl & Curley, P.C., representing the owner and developer of the Lakin Park development.

RECOMMENDATION:

It is recommended that the Planning and Zoning Commission recommend to the City Council approval of the proposed Major Amendment to the Goodyear 2025 General Plan for the Lakin Park Area as described herein and shown on the attached maps, and as set forth in the draft of Resolution No. 2019-1999 attached hereto.

ATTACHMENTS:

1. Draft Resolution No. 2019-1999
 - a. Exhibit 1 – Lakin Park Area Major GPA
2. Aerial Photo
3. Existing Future Land Use Map
4. Proposed Future Land Use Map

5. Project Narrative
6. Letters of Support