

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

DATE: April 27, 2020

CAR #: 2020-6930



## CITY COUNCIL ACTION REPORT

**SUBJECT:** Rezoning to Final Planned Area Development (PAD) for Curve at Estrella Commons

**STAFF PRESENTER(S):** Steve Careccia, Principal Planner

**OTHER PRESENTER(S):** Jason Sanks, Sustainability Engineering Group

**Summary:** This request is a rezoning of property from the Preliminary PAD (Planned Area Development) zoning district to the Final PAD (Planned Area Development) zoning district. The new Final PAD will permit the property to develop with detached single-family court homes.

### Recommendation:

1. ADOPT RESOLUTION NO. 2020-2046 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP 19-09A CITY OF GOODYEAR, AZ – REZONE CASE”; “CURVE AT ESTRELLA COMMONS – LEGAL DESCRIPTION”; AND “CURVE AT ESTRELLA COMMONS PLANNED AREA DEVELOPMENT.”
2. ADOPT ORDINANCE NO. 2020-1465 CONDITIONALLY REZONING APPROXIMATELY 7.6 ACRES FROM PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) TO FINAL PLANNED AREA DEVELOPMENT (PAD) FOR A NEW DEVELOPMENT TO BE KNOWN AS THE CURVE AT ESTRELLA COMMONS PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; 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 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 subject property consists of approximately 7.6 acres generally located east of the northeast corner of Estrella Parkway and Roosevelt Street.



The General Plan Land Use Plan designates the subject property as 'Business and Commerce'. The 'Business and Commerce' land use category provides for the growth and development of shopping, office and entertainment areas along with high-density residential and public and community facilities.

The 7.6-acre subject property is zoned Preliminary PAD (Planned Area Development) and is part of the Estrella Commons PAD. The Estrella Commons PAD was initially approved on October 23, 2006, with the adoption of Ordinance No. 2006-1033. There have been several subsequent amendments to the PAD, with the most recent approved on October 23, 2017 with the adoption of Ordinance No. 2017-1368. Pursuant to the PAD, as amended, the subject property is designated as the 'District'. This land use designation is intended for a mix of uses, including retail commercial and multi-family residential development.

## Staff Analysis

### Current Policy:

A request to rezone property requires review by the Planning and Zoning Commission and final decision by the City Council through the public hearing process. The rezoning 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 rezone the approximately 7.6-acre subject property from Preliminary PAD to Final PAD. The rezoning will create a new PAD to be known as 'Curve at Estrella Commons'. The PAD will permit the development of single family detached court home residences. Density is proposed at 8-10 dwelling units per acre. As proposed in the PAD, these court home residences are intended to be rentals, but there is nothing that requires them to be rentals and they could be sold.

Uses permitted within the PAD will be those established by the city's R1-4 (Single Family Residential) and R1-C (Court Home) zoning districts. Development standards and design guidelines applicable to the development will be as designated in the R1-C (Court Home) zoning district except as modified by the PAD.

As proposed within the Curve at Estrella Commons PAD, deviations to the following development standards are requested:

- minimum lot area (2,150 square feet in lieu of 3,200 square feet)
- minimum lot depth (49 feet in lieu of 80 feet)
- maximum building coverage (65% in lieu of 60%)
- Minimum setback to front facing garage (18 feet in lieu of 20 feet)
- Minimum open space (12% in lieu of 15%)

The above deviations have been requested to accommodate the court home design proposed with the Curve at Estrella Commons PAD.



As proposed within the PAD, 12% (0.9 acres) of the project area will be designated as open space. Amenities include lawn areas and a dog park. However, neither a pool nor children's play area are being proposed.

#### **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 herein, the subject property has a General Plan land use designation of 'Business and Commerce'. Per Development Standard 41 of the General Plan, high density residential is permitted in this land use category, as the General Plan recognizes residential and commercial uses may be compatible in certain circumstances. The density of the proposed development will range between 8-10 dwelling units per acre. While this proposed medium density development does not qualify as high density (12+ du/a), as defined by the General Plan, an amendment to the Plan is not required since the area of development is less than 20 acres.

The following development standards from the General Plan are applicable to this request:

Development Standard 5

Goodyear promotes a safe walkable and bikeable community. Each development should be located and designed to reduce vehicle trips and miles whenever possible. Pedestrian and bicycle connections shall be provided between and within developments to allow the community to walk or bike to nearby destinations.

Development Standard 31

Pedestrian and bicycle connections shall be provided to internally and externally link residential uses to nearby commercial uses, schools, parks and other neighborhoods, and other important destinations by walking or biking.

Development Standard 32

New subdivisions should be designed to provide convenient pedestrian access to adjoining streets, open spaces, and commercial areas.

The PAD is adjacent to a commercial parcel intended for development of a small grocery store and restaurant, and access to this destination should be promoted in conformance with the above stated General Plan Development Standards. However, the proposed site plan included with the rezoning request did not provide for any such connection to the adjoining commercial property. As such, staff is recommending a stipulation of approval to require a shaded sidewalk connection between the two properties, along the south side of the shared access drive.

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

The subject property was formerly used for agricultural purposes. As such, it is relatively flat and rough graded, and remains currently undeveloped. With these characteristics, the property's physical and natural features are suitable for the proposed use intended with this rezoning request. Furthermore, the property will be required to be developed in accordance with all applicable design guidelines and development standards, including those related to site grading and drainage.

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 – Roosevelt Street and undeveloped property within the Estrella Commons PAD designated as the ‘District’.

South – Multi-family residential complex currently under construction on property within the Estrella Commons PAD.

East – Low density single family residential currently under construction on property within the Estrella Commons PAD.

West – Proposed commercial development zoned C-2 (General Commercial) intended for a grocery store and restaurant.

General Plan Development Standard 26 is applicable to this request, and states: Residential uses with densities greater than 5 dwelling units per acre up to 12 dwelling units per acre may be considered along arterial roads, adjacent to commercial areas, adjacent to community and regional parks or significant open space areas, adjacent to interstates when appropriately buffered, or to provide transition between low- and high-density residential uses.

The PAD proposes to locate medium density residential development adjacent to existing low- and high-density residential development. Given the location and configuration of these land uses, the proposed development will act as buffer between the low and high density uses, as well as those adjacent commercial uses, and therefore provides for greater land use compatibility.

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. A stipulation of approval will require the developer to provide notice of base operations to future residents and tenants of the proposed residential development.

Phoenix-Goodyear Airport:

The subject property is located within the Traffic Pattern area of the Phoenix-Goodyear Airport. A stipulation of approval will require the developer to provide notice of airport operations to future residents and tenants of the proposed residential development.

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 market demand for the types of commercial and residential uses proposed within the PAD is strong in this area of the city.

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

School Districts:

By separate agreement(s) with the District(s), the developer will pay a contribution of \$650 per residential unit to the Avondale Elementary School District and Agua Fria Union High School District.

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	4.95	2.47	5.17	2.58	#184/181	5.13	2.56	5.35	2.67

Two points of access will be provided - one for general public use and another for emergency use only. The emergency access point is located in the northeast corner of the property, and this location has been determined to be acceptable to the Fire Department. All city standards for emergency access, such as surfacing, signage and gates/barriers, will be applicable at time of design and construction. Any gates visible from the public street will be architecturally enhanced, as noted in the proposed stipulations of approval.

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 access to Roosevelt Street. All internal streets will be private. The development is proposed to be gated.

Water/Wastewater:

The subject property will be served by the city of Goodyear.

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:

In accordance with the city's Citizen Review Process, an alternative notification process was used for this request. A formal citizen review meeting was not involved, but notice providing information on the request was mailed to surrounding property owners within 500 feet of the subject property. Staff did not receive any public inquiries 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; a legal notice published in the Arizona Republic on March 27, 2020; and a notice of public hearing sign posted on the property. Information on the rezoning request and these public hearings was also posted to the current development applications section of the city's website. To date, staff has not received any public inquiries as a result of this notice.

At the regular Planning and Zoning Commission meeting on April 15, 2020, staff made a presentation to the Commission for this request. Based upon the staff findings presented in the Commission staff report, and repeated in this Council Action Report, the Commission recommended approval of the request for rezoning by a unanimous vote (5-0), subject to the stipulations in Ordinance No. 2020-1465. There was no opposition to the request at the Commission hearing.

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

The area subject to this rezoning is an infill property located within the proximity of existing public infrastructure and services. The property is suitable for the type of development proposed within the PAD.

The PAD zoning district is intended to promote innovative or unique design. As such, deviations from standard zoning requirements may be considered. The deviations requested with this PAD are intended to allow the development of an alternative residential design centered around court homes. This design allows for the residential façade to be the focal point from the street, with garages predominately accessed via the court. While the city has seen the development of several alternative residential designs, these types of developments are encouraged by the city's standards and design guidelines, and therefore the requested deviations should be supported.

The requested reduction in common open space is acceptable, as each home will be provided with a private yard at least 350 square feet in area, including a minimum 100 square-foot paved patio.

The proposed court homes will be required to go through the residential design review process prior to any permitting or construction. The conceptual building elevations provided with the rezoning request appear to generally conform to the city's design

guidelines. However, additional design enhancements and architectural treatments will be necessary to fully comply with the design guidelines. Therefore, a stipulation of approval addressing this required design review process has been included with the staff recommendation.

*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.

## **Attachments**

1. Resolution No. 2020-2046
  - a. Exhibit A – Supplementary Zoning Map
  - b. Exhibit B – Legal Description
  - c. Exhibit C – Curve at Estrella Commons PAD
2. Ordinance No. 2020-1465
3. Aerial Photo