

AGENDA ITEM #: _____

DATE: June 8, 2020

CAR #: 2020-6816



COUNCIL ACTION REPORT

SUBJECT: Rezone approximately 82 acres from Riverside Park Preliminary Planned Area Development (PAD) to (I-2) General Industrial with 70-foot height overlay.

STAFF PRESENTER(S): Christian M. Williams, Planner

OTHER PRESENTER(S):

Summary: Request to rezone approximately 82 acres from Riverside Park Preliminary Planned Area Development (PAD) to I-2 General Industrial with an overlay to allow building heights up to 70 feet.

Recommendation:

1. ADOPT RESOLUTION NO. 2020-2048 DECLARING A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED “OFFICIAL SUPPLEMENTARY ZONING MAP NO. 19-02 CITY OF GOODYEAR, AZ – REZONE CASE”; AND “LEGAL DESCRIPTION – GOODYEAR 82”.
2. ADOPT ORDINANCE NO. 2020-1466 CONDITIONALLY REZONING APPROXIMATELY 82 ACRES WITHIN RIVERSIDE PARK PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) FROM PAD TO I-2 GENERAL INDUSTRIAL WITH A PAD OVERLAY; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT, CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND 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. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

Background and Previous Actions

The zoning for this property is contained in the larger Riverside Park Preliminary Planned Area Development (PAD) and was approved on December 12, 2005 through Ordinance No. 2005-976. The preliminary development plan called for a mix of single-family dwelling units configured on

2-pack lots (Z-Lots), and 60-foot wide lots. Neighboring this property, just west of a utility corridor and adjacent to a gas-line utility corridor, additional 60-foot wide lots and 70-foot wide lots are contemplated as part of the Riverside Park Preliminary PAD.

Since the approval of the Riverside Park Preliminary PAD, the Arizona State Department of Transportation (ADOT) has revised the alignment of the future Arizona State Route 30 (Tres Rios) Freeway; under the revised alignment, part of the Goodyear 82 Property will be required for the freeway right-of-way. Based on staff and applicant concerns regarding the property being developed as single-family residential, adjacency to a future freeway as well as existing high capacity powerlines, an existing rail line, planned and existing industrial development, and no nearby residential dwelling units to support commercial supporting commercial, both supported a rezone to a more appropriate industrial land-use.

Staff Analysis

Current Policy:

A rezoning request requires public review and vote by the Planning and Zoning Commission and the City Council. The proposed rezoning must be in conformance with the General Plan and should not adversely impact the surrounding area. As set forth below, the proposed zoning is both consistent with the General Plan and will not adversely impact the surrounding area.

Details of the Request:

The applicant is requesting a zoning change from the currently approved Preliminary (PAD) to 1-2 General Industrial. Further, the Applicant requests a PAD overlay for the Goodyear 82 property for the sole purpose of increasing the allowable maximum building height to 70 feet. The additional height, from 50 feet to 70 feet, is intended to accommodate a wider range of industrial users that are routinely seeking building heights in excess of 50 feet. The increased height will be compatible with the existing, much taller, high capacity powerlines that pass by the property to the south and the future stack interchange of the future Arizona State Route 30 (Tres Rios) Freeway with the Arizona State Route 303 Loop (Stump/Estrella) Freeway extension.

A portion of the Riverside Park Preliminary PAD is not included with this rezone request. The land immediately east and south of the Property is still zoned preliminary PAD for residential use. This property is within the future right-of-way for State Route 30, as identified on the adopted Loop 303 from I-10 to Proposed State Route 30 Final Approved Design Concept Report, dated 2018. It is anticipated that ADOT will acquire this property in the future and so the increased height will be compatible with the surrounding land uses. However, stipulation #1 was added to prohibit buildings exceeding 50-feet in height within 500-feet of property that is zoned for a residential use in case the plans for State Route 30 should change

Considering the revised State Route 30 (Tres Rios) Freeway alignment, the Goodyear 82 property has more suitable development opportunities than single-family residential. This conclusion is also supported by the existing and/or approved industrial land uses to the north and east of the Goodyear 82 Property, as well as the Goodyear 82 Property's proximity to Maricopa County Highway 85 and the Southern Pacific Union Pacific railway. This property is not within the Phoenix-Goodyear

Airport Day-Night Average Sound Level (DNL) boundary and is west of the runway alignment for the airport.

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 General Plan designates the Land Use Category for this property is Industrial. Due to this fact, a rezone of this property from residential uses to industrial uses would more closely align it with the vision found within the General Plan.

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

The property is located between the Maricopa County Highway 85, the proposed route of the Arizona State Route 30 (Tres Rios) freeway and approximately 1.25 miles east of the future freeway stack interchange for the Arizona State Route 303 Loop (Stump/Estrella) freeway and Arizona State Route 30 (Tres Rios). The property is also near the Southern Pacific Railroad line. Due to these factors it seems appropriate for the property to serve an industrial development.

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

Current and future uses and development of the properties surrounding the subject property include:

North – Maricopa County Highway 85, land zoned I-2 General Industrial and Goodyear Crossing Industrial Park Planned Area Development (PAD);

South – Vacant land zoned Riverside Park Preliminary Planned Area Development (PAD);

East – Vacant land Riverside Park Preliminary Planned Area Development (PAD);

West – Agricultural land zoned Agricultural-Urban;

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.

Based on the Riverside Park Preliminary PAD, the existing residential zoning is more compatible with the preliminary residential to the east. However, with the new freeway, existing industrial and existing General Plan support for Industrial, the proposed zoning would be better suited for the property than what is currently contemplated. In order to protect any future residential and encourage a compatibility, stipulations relating to the 70-foot height allowance has been proposed to be placed on the property.

Luke Air Force Base:

The property does not fall within the Luke Airforce Base Accident Potential Zone or the DNL.

Phoenix-Goodyear Airport:

The property does not fall within the Phoenix-Goodyear Airport DNL.

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.*

Per the General Plan designation of industrial and due to the proximity of this development to major transportation facilities, this seems to be an appropriate place for this type of industrial development. Additionally, this property is adjacent to a railroad track, existing high capacity powerlines, a county highway, numerous irrigation canals, a future state highway and a future freeway junction and is not near any future residential development. From a regional context, nearly all the property within the city along the Maricopa County Highway 85 and Southern Pacific Union Pacific rail lines, that are not being farmed, are zoned industrial.

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

School Districts:

The rezoning of this property from residential to industrial will reduce the impact on the adjacent school districts from a student enrollment standpoint while adding to the assessed valuation of district lands.

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
Fire Station #184/181	4.89	2.45	6.18	3.09	Fire Station #182	10.18	5.09	10.30	5.15

Police Response:

The proposed development 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 Engineering Department has created stipulations to address traffic issues caused by the development of this property. Those stipulations address traffic signals, roadway construction and access to needed and adjacent streets.

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 Comment and Planning and Zoning Commission Meeting:

An alternative citizen review process was conducted for this proposal due to the city of Goodyear Emergency Declaration in Response to Coronavirus and notice of the application was provided to property owners within 500 feet of the property at least 35 calendar days prior to public hearing to provide ample opportunity for input prior to noticing the public hearing itself. To date, no objections or inquiries were received as a result of this notification.

A public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on May 6, 2020 appeared in the Arizona Republic Southwest Valley Edition April 17, 2020. Postcards were mailed to adjoining owners on April 23, 2020 to advertise the May 6, 2020 Planning and Zoning Commission Meeting. This did not meet the 15-day notice as required by the City of Goodyear Zoning Ordinance and so the public hearing was continued to allow for proper notice of the item.

A public hearing was opened by the Planning and Zoning Commission during its meeting on May 6, 2020 and continued until the meeting on May 20, 2020.

Postcards were mailed to adjoining owners on April 30, 2020 to advertise the May 20, 2020 Planning and Zoning Commission Meeting; and a sign was posted on the site on April 21, 2020 and modified on May 1, 2020 to reflect the May 20, 2020 Planning and Zoning meeting date.

A public hearing was held before the Planning and Zoning Commission on May 20, 2020 to consider the rezoning of the property to the Planned Area Development and the Commission voted (6-0) to recommend approval/deny of the proposed rezoning.

Public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Goodyear City Council on June 8, 2020 appeared in the Arizona Republic Southwest Valley Edition May 22, 2020.

Postcards were mailed to adjoining owners on April 30, 2020 to advertise the June 8, 2020 Goodyear City Council Meeting; and a sign was posted on the site on April 21, 2020 and modified on May 1, 2020 to reflect the June 8, 2020 Goodyear City Council meeting date.

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

The subject property is within a quarter mile of existing development and located within the proximity of City services and infrastructure.

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 amendment will reduce the amount of residential in close proximity to a major freeway.

Attachments

1. Resolution No. 2020-2047
 - a. Exhibit A – Official Supplementary Zoning Map No. 19-02
 - b. Exhibit B – Legal Description – Goodyear 82
2. Ordinance No. 2020-1466
3. Project Aerial Photo
4. Project Narrative