

RESOLUTION NO. 2020-2111

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING A MAJOR AMENDMENT TO THE GOODYEAR 2025 GENERAL PLAN FOR THE WAGNER AREA, CONTAINING APPROXIMATELY 430 ACRES LOCATED SOUTH OF BROADWAY ROAD, EAST OF BULLARD AVENUE, AND NORTH OF THE GILA RIVER, TO AMEND FIGURE 5.7, GROWTH AREAS MAP, AND FIGURE 8.1, LAND USE AND TRANSPORTATION PLAN MAP IN CHAPTER 8 OF THE GENERAL PLAN BY CHANGING THE LAND USE DESIGNATION ON CERTAIN LANDS ADJACENT TO PLANNED FREEWAYS FROM RESIDENTIAL TO NON-RESIDENTIAL; DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK TITLED “WAGNER MAJOR GPA”; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Goodyear 2025 General Plan (hereinafter, “General Plan”) was adopted by the Mayor and City Council of the City of Goodyear on June 23, 2014 and ratified by a vote of the citizens of Goodyear on November 4, 2014; and,

WHEREAS, Chapter 5 of the General Plan includes a Growth Areas Map in Figure 5.7 of said Chapter which represents the job centers and the City Redevelopment Area over the Land Use and Transportation Map; and,

WHEREAS, Chapter 8 of the General Plan includes a Land Use and Transportation Plan Map in Figure 8.1 of said Chapter which represents the preferred land use, physical form, and mobility pattern for Goodyear by illustrating the general location of appropriate land uses to guide future growth and development and promoting full integration of land use and transportation planning; and,

WHEREAS, Mr. Robert Wagner, the owner of approximately 240 acres of land along both sides of the proposed SR30 alignment between Bullard Avenue and Litchfield Road (the “Wagner Property”), and Pioneer 2005, LLC (“Pioneer”), the owner of approximately 190 acres of land adjacent to the Wagner Property (the “Pioneer Property”), initiated requests to amend the land use categories shown for their properties in the 2025 City of Goodyear General Plan from Neighborhoods to Industrial; and,

WHEREAS, the property is currently zoned Agriculture (AG); and,

WHEREAS, when the property is developed, a rezone of the property will require an update to the Integrated Water Master Plan; and,

WHEREAS, in compliance with A.R.S. § 9-461.06(D), the appropriate agencies, including the Arizona State Departments of Transportation, Water Resources, State Land, and Governor’s Office, adjacent municipalities and counties, Maricopa Association of Governments, Phoenix/Goodyear Airport, Luke Air Force Base, Maricopa County Department of Transportation, Flood Control District, and Arizona Commerce Authority were sent notice of the proposal and opportunity to comment by mail on July 24, 2020; and,

WHEREAS, the Zoning Ordinance, General Plan and A.R.S. § 9-461.06(C)(1) require a citizen review process when amending land uses; and,

WHEREAS, on March 19, 2020 Mayor Lord signed an Emergency Declaration in response to the Coronavirus. The Emergency Declaration initiated an interim citizen review policy which required notification to adjacent landowners and other potentially affected residents of the proposed application and provided an opportunity to express any issues or concerns before any public hearing in lieu of an in-person citizen review meeting; and,

WHEREAS, on August 21, 2020 a postcard notification was sent out to adjacent property owners, on August 28, 2020 an advertisement in the Arizona Republic Southwest Edition was published providing details of the application and contact information of staff and the applicant in order to receive any feedback regarding the application in lieu of an in-person citizen review meeting; and,

WHEREAS, the Goodyear Planning and Zoning Commission conducted the first required public hearing on this Major General Plan Amendment on October 21, 2020 at a conference room in Goodyear City Hall, a location different from the Commission's regular meeting location, as required by state law; and,

WHEREAS, due and proper notice of such public hearing before the City of Goodyear Planning and Zoning Commission was given in the time, form, substance and manner provided by law, including publication of such notice in Southwest Edition of the Arizona Republic on October 2, 2020, posting of a sign on the property on October 6, 2020, and mailing of postcard notices on September 25, 2020 to the owners of property within the Wagner Area and within 500 feet of said area; and,

WHEREAS, the Goodyear Planning and Zoning Commission conducted the second required public hearing on this Major General Plan Amendment on December 2, 2020 at its regular meeting location, as required by state law; and,

WHEREAS, due and proper notice of that public hearing before the City of Goodyear Planning and Zoning Commission was given in the time, form, substance and manner provided by law, including publication of such notice in Southwest Edition of the Arizona Republic on November 13, 2020, posting of a sign on the property on October 6, 2020, and mailing of postcard notices on November 6, 2020 to the owners of property within the Wagner Area and within 500 feet of said area; and,

WHEREAS, the proposed Major General Plan Amendment satisfies the required standards and criteria for approval of a Major Amendment, as specified in the General Plan and documented in the staff report for Case No. 20-700-00001; and,

WHEREAS, the Goodyear Planning and Zoning Commission has/has not found that this Major General Plan Amendment is in the best interests of the City and general public and has recommended/not recommended that such Major General Plan Amendment be approved; and,

WHEREAS, the City of Goodyear City Council conducted the required public hearing on this Major General Plan Amendment on November 16, 2020 in the manner provided for by law; and,

WHEREAS, due and proper notice of such public hearing before the City of Goodyear City Council was given in the time, form, substance and manner provided by law, including publication of such notice in Southwest Edition of the Arizona Republic on November 13, 2020, posting of a sign on the property on October 2, 2020, and mailing of postcard notices on November 6, 2020 to the owners of property within the Wagner Area and within 500 feet of said area; and,

WHEREAS, the City of Goodyear City Council does/does not find that it would be in the best interests of the city and general public that this Major General Plan Amendment for the Wagner Area be approved, as recommended/not recommended by the Planning and Zoning Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. APPROVAL OF MAJOR GENERAL PLAN AMENDMENT

A Major General Plan Amendment is hereby approved to amend Figure 5.7 in Chapter 5, Physical Growth and Development, and Figure 8.12 in Chapter 8, Land Use and Transportation Plan, of the Goodyear 2025 General Plan by changing the land use category shown on said map and replacing it with the land use categories and freeway alignments shown on that certain document titled “Wagner Area Major GPA,” a copy of which is attached hereto as EXHIBIT A.

SECTION 2. DECLARATION OF PUBLIC RECORD

That certain document titled “Wagner Area Major GPA,” a copy of which is attached hereto as EXHIBIT A, is hereby declared a public record.

SECTION 3. COPIES FILED WITH THE CITY CLERK

Three copies of the aforementioned document being declared a public record herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

SECTION 4. EFFECTIVE DATE

This resolution shall become effective as prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this _____ day of _____, 20_____.

Date: _____

APPROVED AS TO FORM:

Roric Massey, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

Given under my hand and sealed this _____ day of _____, 20____.

City Clerk