

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

DATE: October 26, 2020

CAR #: 2020-7071



## COUNCIL ACTION REPORT

**SUBJECT:** Adopt the District at Civic Square Planned Area Development Overlay

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

**OTHER PRESENTER(S):**

**Summary:** Request approximately 9.3 acres be rezoned to MF-24 with a Planned Area Development Overlay titled District at Civic Square Planned Area Development (PAD) Overlay.

### Recommendation:

1. Conduct a public hearing to consider a request to rezone approximately 9.3 acres of property located east of the northeast corner of PebbleCreek Parkway and Monte Vista Road.
  - a. Open Public Hearing
  - b. Staff Presentation
  - c. Applicant Presentation (10) minutes
  - d. Receive Public Comment (3 minutes per speaker)
  - e. Close Public Hearing
2. ADOPT RESOLUTION NO. 2020-2103 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED, "LEGAL DESCRIPTION," AND "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 20-02A;" AND "DISTRICT AT CIVIC SQUARE PLANNED AREA DEVELOPMENT OVERLAY."
3. ADOPT ORDINANCE NO. 2020-1481 CONDITIONALLY REZONING APPROXIMATELY 9.3 ACRES OF PROPERTY LOCATED EAST OF THE NORTHEAST CORNER OF PEBBLECREEK PARKWAY AND MONTE VISTA ROAD, KNOWN AS DISTRICT AT CIVIC SQUARE; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGEMENT; 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. 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 subject property is located within the Goodyear Planned Regional Center PAD. The PAD was approved on February 14, 2000 with the adoption of Ordinance No. 00-679. Per the PAD, the property is designated as Mixed Use Commercial and is intended for commercial uses.

On June 12, 2019, Council approved a request for a use permit for a convenience storage (mini-storage) on this property. Plans for the mini-storage never came to fruition.

The current proposed rezoning includes rezoning this 9.3-acre site to MF-24 with a PAD overlay to modify standards and allow a density of up to 39 dwelling units per acre.

## Staff Analysis

### Current Policy:

A rezoning request requires public review and vote by the Planning and Zoning Commission and approved by 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 to rezone the Property from the existing Goodyear Planned Regional Center PAD to MF-24 with a District at Civic Square PAD Overlay. The proposed overlay will modify the MF-24 standards as reflected below.

### Development Standards:

Standard	MF-24	District at Civic Square PAD
Maximum Density	24 dwelling units per acre	39 dwelling units per acre
Maximum Building Height	40 feet	60 feet
Maximum Building Height - Accessory Structures	12 feet	12 feet
Minimum Separation Between Buildings	30 feet	10 feet
Minimum Net Site Area	20,000 SF + 1616 SF/Unit 20,000 + (1616 × 352) = 588,832 square feet	400,000 square feet
Recreational Open Space Requirement	400 SF/unit	150 square feet per dwelling unit
<b>Building Setbacks</b>		
Front	30 feet	10 feet
West Side	40 feet total for sides	5 feet
North Side	20% of lot depth	10 feet
East Side	40 feet total for sides	5 feet*
<b>Parking</b>		
Minimum Parking	1 parking space per studio unit 1.5 parking spaces per one-bedroom unit 2 parking spaces per two-bedroom units 1 guest parking space per 10 units	1 parking space per studio unit 1.5 parking spaces per one-bedroom unit 1.5 parking spaces per two-bedroom unit 1 guest parking space per 10 units A minimum of 591 parking spaces shall be provided

\* Patios may be located within 0 feet of the property line.

**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.*

This proposal is consistent with the long-range planning goals and policies outlined in the General Plan, and achieves an urban design that complements the future activity hub. As this community grows into a dense employment and entertainment center, it will soon need a strong employment and consumer base to support it. This proposal represents a synergistic addition to this community, in a design that is thoughtful and respectful of local conditions.

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

This Site is generally flat with no physical or natural features that would hinder the development of the proposed multi-family project.

*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 – Evolution at Estrella Falls (multi-family);

South – Market at Estrella Falls (commercial);

East – Bullard Wash Park and future residential uses at Civic Square at Estrella Falls;

West – Roosevelt Irrigation Canal and commercial development

The proposed rezoning features an urban, walkable design that complements the surrounding mix of land uses. A traffic impact study has been conducted to ensure that there will be sufficient capacity for the proposed residences.

*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 Site is located within the Goodyear Planned Regional Center Planned Area Development and designated for mixed-use commercial. The land immediately south of the Site is also zoned mixed-use commercial and has since been developed as a regional shopping center. The development of an urban multi-family development here horizontally integrates a mix of uses that will complement one another and create synergy. Immediately north of the project lies multi-family residential in a similar scale. The vacant land located east of the Site across the wash is zoned for mixed-use commercial and will provide convenient commercial goods and services to the future residents of The District at Civic Square. Additional commercial amenities are located to the west of the Site along

PebbleCreek Parkway. The size and scale of the proposed project is physically compatible with the surrounding zoning and existing developments. Additionally, the development of the first four-story apartment community in Goodyear will set the tone for this area to be the dense, urban activity area desired by long-range planning.

Since the approval of the Goodyear Planned Regional Center, demand for residential developments has been greater than the demand for commercial, and as a result, the land designated for commercial uses in the PAD have been rezoned to permit residential. This development will help meet that demand and provide for the growing Goodyear population. In 2019, the area outlined in red on the right was rezoned to Final PAD for Goodyear Civic Square at Estrella Falls. Parcel B, was originally intended for mixed-use commercial, but is now zoned for single-family and multi-family residential, exclusively. Parcels A and C also permit residential developments, among other land uses. This is indicative of a growing demand for residential developments in this area that can be further alleviated by this request.

Luke Air Force Base:

The subject property is not located within the vicinity of a military airport. Given the location of the subject property, base operations will not be adversely impacted by this proposed residential development.

Phoenix-Goodyear Airport:

The subject property is located within the Phoenix-Goodyear Airport Traffic Pattern Airspace. Given the location of the property, airport operations will not be adversely impacted by this 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.*

Since the 1990's the population of the City of Goodyear has grown substantially and continues to increase faster than the housing market is able to keep pace with demand. Using data compiled by the Maricopa Association of Government, the General Plan reports that the population of Goodyear will double between 2020 and 2040. As shown by the figure on the right provided on page 12 of the City of Goodyear General Plan, the population has been growing much more quickly than the housing stock. If continued, this will create overcrowding and housing will become overpriced. This proposal will lessen the burden on the housing market and reinforce Goodyear as a place where families can seek attractive, high-quality housing.

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

School Districts:

The subject property is located within the Litchfield Elementary School District and the Agua Fria Union High School District. Both school districts have been notified of the rezoning request.

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 #185	3.10	1.55	3.10	1.55	Fire Station #184/181	6.87	3.44	6.87	3.44

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 subject property will have access to Monte Vista Road. Two points of access will be provided to the property.

Water/Wastewater:

The subject property will be served by Liberty Utilities for water and wastewater.

7. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.*

There is no projected increase in demand for public infrastructure and services available to the Site and as a result of this development. The development will tie into existing utility connections in W Monte Vista Road and surrounding the project and utility reports have been completed in association with this request to ensure their capacity is adequate.

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 October 14, 2020 appeared in the Arizona Republic Southwest Valley Edition September 25, 2020. Postcards were mailed to adjoining owners on August 28 to advertise the October 14, 2020 Planning and Zoning Commission Meeting.

A public hearing was held before the Planning and Zoning Commission on October 14, 2020 to consider the rezoning of the property to the Planned Area Development. One member of the public spoke in opposition of the proposed rezoning variances and the dense urban nature of the project as his reasons for being against the rezoning request. Ultimately, the Commission voted (5-1) to recommend approval of the proposed rezoning.

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.*

This proposal will convert a vacant and thus, underutilized Site into a luxury multi-family development that is an attractive addition to the Civic Square activity center. By orienting residences in a walkable environment, adjacent to a wealth of recreation and fitness opportunities will encourage the health and well-being of the residents.

## **Attachments**

1. Resolution No. 2020-2103
  - A. Official Supplementary Zoning Map 20-02A
  - B. Legal Description
  - C. District at Civic Square Planned Area Development Overlay
2. Ordinance No. 2020-1481
3. Aerial Photo
4. Project Narrative