

AGENDA ITEM #: _____

DATE: November 16, 2020

CAR #: 2020-7078



COUNCIL ACTION REPORT

SUBJECT: Rezone property at northwest corner of Sarival and Van Buren to MF-24 with Cascade Falls at Canyon Trails Overlay

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

OTHER PRESENTER(S):

Summary: Request approximately 12.2 acres be rezoned to MF-24 with a PAD overlay to be known as Cascade Falls at Canyon Trails.

Recommendation:

1. Conduct a public hearing to consider a request to rezone approximately 12.2 acres of property located at the northwest corner of Sarival Avenue and Van Buren Street.
 - 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 2020-2110 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED, "LEGAL DESCRIPTION," AND "SUPPLEMENTARY ZONING MAP NO. 20-01;" AND "CASCADE FALLS AT CANYON TRAILS MF-24 WITH PAD OVERLAY DEVELOPMENT REGULATIONS SEPTEMBER 2020."
3. ADOPT ORDINANCE 2020-1483 CONDITIONALLY REZONING APPROXIMATELY 12.2 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF SARIVAL AVENUE AND VAN BUREN STREET TO BE KNOWN AS CASCADE FALLS AT CANYON TRAILS; 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 Canyon Trails Phase 1 PAD. The PAD was approved on September 25, 1999 with the adoption of Ordinance No. 1999-0649. Per the PAD, the property is designated as C-2 (General Commercial) and is intended for commercial uses.

The current proposed rezoning includes rezoning this 12.2-acre site to MF-24 with a PAD overlay to modify standards.

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 Canyon Trails Phase I PAD with an underlying zoning of C-2 General Commercial to the MF-24 Zoning District with a PAD Overlay on this site.

The use of a PAD Overlay is justified as the current development standards for the MF-24 zoning district are in need of updating. Only three older apartment complexes, all near Central Avenue and Van Buren Street, have a multi-family zoning designation established outside of a PAD or PAD Overlay Zoning District. The current rear setback is listed as 20% which is not practical given modern apartment community design. In order to allow this development to move forward a PAD overlay was utilized.

The zoning ordinance requires a trash enclosure be located either 50 feet from a single-family zoning district or 30 feet if a landscape buffer is created. The manner in which the single-family residential subdivision, to the north was developed, there is a large landscape buffer and wall on the single-family subdivision side; the setback was reduced to 25 feet from the property line because the trash enclosure will be located 150 feet from lots with single-family homes. Depending on the height, based on current standards a carport could be as close to a property line wall as 6 feet; the applicant will be setting back all carports at least 15 feet from the property line.

The applicant requested a reduction of 5-feet on the west setback, which is adjacent to another multi-family project. Under the current C-2 (General Commercial) Zoning, the side setback is currently zero; although, this is a reduction in the multi-family setback, the impact to the existing multi-family development would be minimal. Under our current multi-family zoning, a landscape

buffer would not be required to the north, however, to reduce the impact to the single-family the landscape buffer required in the existing C-2 (General Commercial) zoning will be carried over into this MF-24 with PAD Overlay to ensure the current landscape buffer will remain the same.

The proposed PAD overlay will modify the MF-24 standards as follows:

Development Standards:

Development Standard	MF-24 Requirements	Proposed PAD Overlay
Min. Building Setback (Rear Yard – North Perimeter)	20% of lot depth	<p>Building Height 20 feet or less = 30 feet</p> <p>Building Height 21 feet to 30 feet = 50 feet</p> <p>Building Height Greater than 30 feet = 50 feet plus 5 feet of additional building setback for each foot of building height over 30 feet at the point where such additional building height occurs.</p>
Trash Enclosures and Carports Setback (North Perimeter)	<p>Trash Enclosure: 50' Adjacent to Single-Family Zoning District or 30' when Adjacent to Landscape Buffer</p> <p>Carport: Dependent on Height of Carport</p>	<p>A minimum building setback of 25' for trash enclosure and minimum building setback of 15' for carports.</p> <p>The trash enclosure shall be located proximate to the northwest corner of the Site.</p> <p>The trash enclosure shall be at least 150' away from residential lots with existing single-family homes.</p>
Min. Building Setback (West Side Yard - Interior Setback)	20' Side Yard	The West Perimeter Setback shall be 15' minimum.
Landscape Buffer (Rear Yard - North Perimeter)	None	A ten (10) foot wide landscape strip, planted with one (1) tree every (20) linear feet, shall be required along the common property line or equivalent grouping on the north side of trash enclosure, extending 150' from the west property line. Trees shall be low water use species, as per the Arizona Department of Water Resources.

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 City of Goodyear's General Plan Land Use and Transportation Map designates the Site as Neighborhood with a Transit Oriented Development ("TOD") Overlay. Allante's development will complement and support existing businesses in the area and provide additional housing options for current and future residents of the city. The TOD Overlay denotes areas within walking distance

to a major future or existing transit route. Higher density and intensity uses are encouraged in the TOD Overlay.

Further, Allante's proposed multifamily community meets current market demand of residents desiring to live within a short distance of a freeway. Both the Loop 303 and the I-10 will provide regional transportation routes. Van Buren Street and Sarival Avenue, two arterial streets, will provide adequate access and have adequate capacity to handle the additional traffic volume generated by Allante's development.

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

The underutilized, vacant infill Site is adequately sized (12.2+/- net acres) and relatively flat, which makes it suitable for a multifamily development. Adjacent arterial streets (Van Buren Street and Sarival Avenue) and the I-10 Freeway are appropriate transportation corridors to serve residents and guests.

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 – Elk Grove at Canyon Trails (single-family);

South – Raven Heights at Canyon Trails (single-family);

East – Harvest Baptist Church land (largely vacant Agricultural Urban);

West – Encantada Canyon Trails (multi-family)

The proposed rezoning from PAD-Commercial to MF-24 with PAD Overlay will limit the uses allowed on the Site to residential, which is consistent with the land use patterns of adjacent properties and surrounding area. Allante's proposed development will not have negative environmental impacts, inappropriate traffic impacts, or other negative impacts to the surrounding area.

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 proposed zoning is MF-24 with PAD Overlay, which is consistent with other land uses within the immediate area. The proposed zoning will be compatible with the existing multifamily community located west of the Site and provide an appropriate transition from single family homes to the existing church and school at this arterial intersection. The proposed rezoning and Allante's development are better suited for the Site than the uses allowed under the current zoning.

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 as it is south of Interstate 10 and adjacent to another multi-family project with a similar density.

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.*

There is market demand for high quality multi-family communities proximate to freeways and other transportation options. The Site's location proximate to the I-10 Freeway provides excellent access to/from the Site and provides easy and convenient access to downtown Phoenix and other areas of the Valley. Demand for multi-family community living 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:

The subject property is located within the Avondale 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 #184/181	2.33	1.16	2.33	1.16	Fire Station #185	9.29	4.64	9.29	4.64

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 West Van Buren Street and North Sarival Avenue, both of which are City of Goodyear rights-of-way. Future development will be responsible for improving adjacent roadways to their ultimate condition and constructing other internal public roadways as needed to serve the development.

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 Site is located near existing public services. Arterial roadway infrastructure is already in-place. There is adequate existing water and sewer infrastructure to serve the development.

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 November 4, 2020 appeared in the Arizona Republic Southwest Valley Edition October 16, 2020. Postcards were mailed to adjoining owners on October 13 to advertise the November 4, 2020 Planning and Zoning Commission Meeting.

A public hearing was held before the Planning and Zoning Commission on November 4, 2020 to consider the rezoning of the property to MF-24 with a Planned Area Development Overlay. Two members of the public, from a nearby local church, spoke in opposition of the proposed rezoning due to concerns of safety within high density residential. Ultimately, the Commission voted (7-0) 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.*

Allante's development will have a positive impact to the general health, safety and welfare of the citizens of the city and the general public. The proposed multifamily community will deliver additional housing options, additional shoppers for businesses in the area, provide housing for residents employed in the area, and implements development of underutilized vacant infill property.

Attachments

1. Resolution 2020-2110
 - a. Official Supplementary Zoning Map 20-01
 - b. Legal Description
 - c. Cascade Falls at Canyon Trails Planned Area Development Overlay
2. Ordinance No. 2020-1483
3. Aerial Photo
4. Project Narrative