

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

DATE: December 2, 2020

CAR #: 2020-7081



## P&Z COMMISSION ACTION REPORT

**SUBJECT:** Major General Plan Amendment – 430 acres generally located south of the southeast corner of Broadway Road and Bullard Avenue

**CASE NUMBER:** 20-700-00001A

**STAFF PRESENTER(S):** Alex Lestinsky, Senior Planner

**APPLICANT:** Brennan Ray, Burch & Cracchiolo, P.A.

**Summary:** Request for a Major Amendment to the Goodyear 2025 General Plan for approximately 430 acres generally located south of the southeast corner of Broadway Road and Bullard Avenue to amend the land use designation for the property from Traditional Neighborhood to Industrial and to revise freeway alignments.

### Recommendation:

1. Conduct a public hearing to consider a request for a Major General Plan Amendment for 430 acres generally located south of the southeast corner of Broadway Road and Bullard Avenue:
  - a. Open the Public Hearing
  - b. Staff Presentation
  - c. Applicant Presentation
  - d. Receive Public Comment
  - e. Close the Public Hearing
2. Recommend approval of a Major General Plan Amendment to 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 designation and freeway alignments shown on said maps and replacing the land use designation and freeway alignments with the land use designation and freeway alignments shown on that certain document titled “Major General Plan Amendment Case No. 20-700-00001 Proposed Changes to Land Use Plan date 10/14/2020,” a copy of which is attached hereto.

**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.

## **Background and Previous Actions**

The 430 acres subject to the General Plan amendment consists of approximately 240 acres owned by Robert Wagner and approximately 190 acres owned by Pioneer 2005, LLC and is generally located at the southeast corner of Broadway Road and Bullard Avenue (the “Property”). The Property is currently zoned AG, Agricultural. The General Plan Land Use Plan designates the land use for the Property as Traditional Neighborhood. The underlying zoning districts that correlate to the Traditional Neighborhood land use designation in the General Plan include all of the residential zoning districts, the Planned Facilities District (PFD), the Commercial Office district (C-O) the Neighborhood Commercial district (C-1), the General Commercial district (C-2) and Planned Area Development district (PAD). However, these uses are no longer compatible with the surrounding area. The majority of the 190 acres of the Property owned by Pioneer 2005, LLC is subject to an Aggregate Mining Overlay, 500 kV transmission lines transverse through the 430 acres and the SR30 freeway has been sited through a portion of the Property. The land use designation in the General Plan for the property to the north of the anticipated SR 30 alignment, which is also owned by Robert Wagner, is Industrial. Given these conditions, the development of the Property as Industrial is more consistent with the goals, objectives and policies of the General plan.

## **Staff Analysis**

### **Current Policy:**

Chapter 9 of the General Plan defines what type of change is considered a Major Amendment, Minor Amendment, or No Amendment. A change to a property’s land use designation affecting more than 160 acres is considered a Major General Plan Amendment. A Major General Plan Amendment requires two public hearings before the Planning and Zoning Commission (one of which must be at a location other than the regular meeting place) and one public hearing before the City Council. All Major Amendments to the General Plan are processed at the same time so that their cumulative effect may be considered. For this calendar year, this is the only Major General Plan Amendment that has been submitted.

Chapter 9 of the Goodyear 2025 General Plan states that Major Amendments to the General Plan should address certain criteria in order to be considered for approval.

### **Details of the Request:**

Robert Wagner and Pioneer 2005, LLC are seeking to amend the General Plan Land Use from Traditional Neighborhood to Industrial to allow the Property to be developed as industrial and to revise the freeway alignments within the Property.

### **Evaluation Criteria:**

Chapter 9, Amendments and Public Participation, specifies the Amendment Review Criteria to be used in reviewing a proposed amendment. The following information identifies these criteria and how this proposed amendment to the General Plan complies with those criteria.

***1. The amendment must forward the vision for Goodyear as described in Chapter 3 of the General Plan.***

The vision statement for Goodyear is to “create a highly desirable and sustainable place for all to live, work, visit, and play.” The vision statement is supplemented by nine Fundamental Strategies which in turn are implemented by twenty-three community goals that were identified during the General Plan planning process and are reflected in Chapter 4 of the General Plan. The changes proposed support Strategy 5, Advance Economic Opportunity, since they will provide more acres of land in the Industrial category which, when developed, will add to the strong economic base in Goodyear and strengthen the local economy.

***2. The amendment must be consistent with the goals, objectives, and policies contained within the General Plan.***

The proposed amendment does not conflict with the goals, objectives and policies in the Goodyear 2025 General Plan, and, more specifically, it supports the following goals, objectives and policies:

**Goal GD-1.**

***A compatible mix of land uses that fosters a quality community, with livable and safe neighborhoods, a healthy population, a strong economy and a sustainable environment.***

**Objective GD-1-2. Integrate land use planning with transportation planning to establish fiscally sustainable, environmentally sustainable and healthy community.**

This amendment promotes the establishment industrial land uses along freeway corridors to avoid the potential negative impacts highways can have on residential development. The Gila River and Estrella Mountain Regional Park abut the property to the south and the Agua Fria River to the east restricting residential mobility and access to supporting commercial amenities. Additionally, the existing Aggregate Mining Overlay and impacts of those potential uses are detrimental to the quality of life of residential development that may be located nearby.

Although a part of the site and surrounding area has an Aggregate Mining Overlay, an aggregate mining use would require a Use Permit.

**Objective GD-1-3. Create an appropriate jobs-to-housing ratio within the community to provide new opportunities to residents and increase sales tax revenue.**

The amendment promotes the establishment of industrial land uses instead of residential uses which will provide more opportunity for employment uses and would benefit the jobs-to housing ratio in a future transportation corridor.

**Goal GD-3.**

***A connected community with a well-functioning roadway network of complete streets that meets the needs of its residents, workforce, and visitors.  
(Transportation/Circulation)***

**Objective GD-3-1. Establish and maintain a well-functioning roadway network.**

This General Plan amendment acknowledges the work done by ADOT in planning future freeways and provides notice to developers where ROW is likely to be needed and preserved.

**Goal ED-1.**

***A resilient and diversified economy. (Economy)***

**Objective ED-1-2. Ensure that infrastructure and the Land Use and Transportation Plan enhance economic development and job growth.**

The proposed amendment designates land near the future SR30 for employment uses.

- 3. The amendment must align with at least one of the fundamental strategies identified in Chapter 3 and shall not conflict with any of the fundamental strategies.***

The proposal supports Strategy 5. Advance Economic Opportunity. The changes proposed support this strategy by providing more acres of land in the Industrial category in an area impacted by previous mining operations and the existing overhead 500kV transmission lines.

- 4. The amendment must not negatively impact the implementation of any City-approved Master Plan or shall provide mitigation measures to alleviate the potential impact.***

The amendment will not negatively impact the implementation of any Master Plan. The amendment area is close to existing water and wastewater treatment facilities that have sufficient land and can be expanded to meet demand if needed. Distribution system and collection system lines will be constructed by the new developments when they are ready to commence.

The El Rio Design Guidelines were adopted by Goodyear City Council on May 23, 2016 by Resolution No. 16-1761 in order to provide a consistent set of goals and policies for development across jurisdictional boundaries within the Gila River corridor. At the time of zoning, the property will be required to conform to the adopted El Rio Design Guidelines.

- 5. The amendment must constitute an overall improvement to the General Plan.***

Changing the future land use category from residential to non-residential will result in an overall improvement to the General Plan by better matching appropriate non-residential land uses with the high capacity roadways planned in the Transportation Plan. Non-residential uses are less likely to be negatively impacted by the planned freeways and will more likely benefit from their proximity and access to the regional transportation network. This proposal also makes the property consistent with the Industrial land use designation to the north,

Business and Commerce designation to the west, and Open Space land use with Aggregate Mining Overlay to the south.

**6. *The amendment will not adversely impact a portion of, or the entire community, by:***

***a. Significantly reducing the balance of residents and jobs.***

The proposed amendment will not reduce the balance of residents and jobs, but rather would improve the jobs to housing ratio by changing the area from residential to non-residential land uses and resulting in less dwelling units and more jobs.

***b. Increasing traffic without mitigation.***

While it is likely that traffic will increase with this proposed land use change, this area will be well-served by highway infrastructure proposed by ADOT and the planned roadway system in this area will be able to handle this increase in traffic.

***c. Requiring additional and more expensive improvements to infrastructure without mitigation.***

The proposed change to Industrial will not require additional or more expensive improvements for the site to develop. Future developers will install required infrastructure for the site to develop as proposed under this Amendment.

***d. Significantly altering the existing character of an area in a negative and unplanned way.***

The proposed change in land use will not significantly alter the character of the area in a negative way. The existing surrounding land uses, natural features, and future development of SR30 makes for an appropriate location of additional industrial uses. The character of the area will also be addressed as properties go through the rezoning and development review process.

***e. Diminishing the environmental quality of the air, water, land, or cultural resources.***

The land use change from residential to non-residential should not diminish the environmental quality of the air, water, land, or cultural resources in this area. All new development will have to meet existing development standards for non-residential uses that are designed to minimize the negative impacts of new industrial developments.

At the time of zoning, the specific permitted land uses and design guidelines will be established. Special attention will be paid to the design of buildings near the Gila River and Agua Fria River, ensuring they meet the El Rio Design Guidelines and that design is compatible with the rivers and plans for El Rio.

## **PUBLIC PARTICIPATION:**

On July 24, 2020, in compliance with A.R.S. § 9-461.06(D), a notice of the general plan amendment proposal was sent to 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 inviting the agencies to provide comments by mail. City staff received no comments in response to the notices that were sent.

In compliance with the Emergency Declaration signed by Mayor Lord on March 19, 2020 that adopted an interim citizen review policy, a post card notification was sent to adjacent property owners on August 21, 2020 and an advertisement in the Arizona Republic Southwest Edition was published on August 28, 2020 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. City staff received one voice mail from one person who did not identify himself but left a phone number advising that he had some questions. Staff attempted to contact this individual but was never able to reach him and their messages were not returned.

Notice of the proposed general plan amendment and of the first of the two public hearings before the Goodyear Planning and Zoning Commission required for General Plan Amendments scheduled for October 21, 2020 was published in the Southwest Edition of the Arizona Republic on October 2, 2020, included in signs that were posted on the property at two locations on October 6, 2020, and included in postcards mailed on September 25, 2020 to the owners of the property affected by this proposed amendment and those within 500 feet of the Property. During the public meeting held on October 21, 2020, one person who owns adjacent property zoned I-2 spoke in favor the proposed general plan amendment.

Notice of the proposed general plan amendment and of the second of the two public hearings before the Goodyear Planning and Zoning Commission required for General Plan Amendments scheduled for December 2, 2020 was published in the Southwest Edition of the Arizona Republic on November 13, 2020, included in signs that were posted on the property on October 6, 2020, and included in postcards mailed on November 6, 2020 to the owners of Property affected by this proposed amendment and those within 500 feet of the Property.

## **RECOMMENDATION:**

It is recommended that the Planning and Zoning Commission recommend to the City Council approval of a Major General Plan Amendment 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 designation and freeway alignments shown on said maps and replacing the land use designation and freeway alignments with the land use designation and freeway alignments shown on that certain document titled "Major General Plan Amendment Case No. 20-700-00001 Proposed Changes to Land Use Plan date 10/14/2020," a copy of which is attached hereto.

## **ATTACHMENTS:**

1. Major General Plan Amendment Case No. 20-700-00001 Proposed Changes to Land Use  
Plan date 10/14/2020
2. Aerial Photo
3. Project Narrative