ORDINANCE NO. 2019-1440

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 104 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT (PAD) FOR A DEVELOPMENT TO BE KNOWN AS THE GOODYEAR CIVIC SQUARE AT ESTRELLA FALLS PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

WHEREAS, the subject property (the "Property") consists of approximately 104 acres generally located east of the Bullard Wash, between McDowell Road and Virginia Avenue/Encanto Boulevard, legally described in that certain document titled "Goodyear Civic Square – Legal Description," which document was declared a public record by Resolution No. 2018-1978, three copies of which are on file with the City Clerk of the city of Goodyear, Arizona, and which is referred to and made a part hereof as if fully set forth in this Ordinance; and

WHEREAS, the Property is designated as "Business and Commerce" on the General Plan Land Use and Transportation Plan. This land use category provides for the growth and development of shopping, office and entertainment areas along with high density residential and public and community facilities; and

WHEREAS, the Property is zoned Planned Area Development (PAD). The PAD is known as the Goodyear Planned Regional Center. The PAD was approved on February 14, 2000 with the adoption of Ordinance No. 00-679. Per the Goodyear Planned Regional Center PAD, the Property is designated as Mixed Use Commercial and Regional Center. Both of these PAD land uses are intended for commercial use; and

WHEREAS, the request is to rezone the approximately 104-acre Property from Planned Area Development (PAD) to Planned Area Development (PAD) to create a new PAD known as the Goodyear Civic Square at Estrella Falls Planned Area Development. This PAD will permit the development of a mix of uses on the Property, including civic, commercial and residential; and

WHEREAS, the intent of the Goodyear Civic Square at Estrella Falls PAD is to create an urban, pedestrian-oriented development that will be a center for civic administration, services and events along with higher intensity office and commercial development and higher density residential development; and

WHEREAS, a neighborhood meeting, in conformance with Section 1-3-8 (Citizen Review Process), of the city of Goodyear Zoning Ordinance, was held on June 5, 2019 to discuss the PAD rezoning request with surrounding property owners and stakeholders; and

WHEREAS, a request to rezone property requires public review and approval by the Planning and Zoning Commission and the City Council through the public hearing process. The rezoning must

be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance; and

WHEREAS, staff has determined that the proposed PAD rezoning request is in conformance with the General Plan and will not adversely impact the surrounding area; and

WHEREAS, public notice that this PAD rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on June 26, 2019 appeared in the Arizona Republic Southwest Valley edition on June 7, 2019; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on June 26, 2019, to consider this PAD rezoning, and the Commission voted (5-0) to recommend approval of the PAD rezoning subject to the stipulations that have been presented; and

WHEREAS, public notice that this PAD rezoning is to be considered and reviewed at a public hearing held before the City Council on July 8, 2019, appeared in the Arizona Republic Southwest Valley edition on June 7, 2019; and

WHEREAS, based on the foregoing Recitals and the other information presented, the Mayor and Council of the city of Goodyear, Arizona find the adoption of this ordinance to be in the best interests of the public health, safety, and welfare;

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

SECTION 1. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2019-1440 applies to that parcel of land in Goodyear, Maricopa County, Arizona, generally located east of the Bullard Wash, between McDowell Road and Virginia Avenue/Encanto Boulevard, as shown on "Official Supplementary Zoning Map No. 19-04A City of Goodyear, AZ – PAD Rezoning," and as legally described in that certain document titled "Goodyear Civic Square – Legal Description," both documents having been declared public records by Resolution No. 2019-1978, with three copies of both documents being on file with the City Clerk of the city of Goodyear, Arizona, and which documents are referred to and made a part hereof as if fully set forth in this Ordinance.

SECTION 2. PLANNED AREA DEVELOPMENT REZONING

The Property is conditionally rezoned to Planned Area Development (PAD) with the adoption of the Goodyear Civic Square at Estrella Falls Planned Area Development dated June 27, 2019, which document was declared a public record by Resolution No. 2019-1978 and three copies of which are on file with the City Clerk of the city of Goodyear, Arizona, and which is referred to and made a part hereof as if fully set forth in this Ordinance.

SECTION 3. STIPULATIONS

The development of the Property shall be subject to the following stipulations:

- 1. Except as otherwise modified by the stipulations herein, the Property shall be developed in conformance with that certain document titled Goodyear Civic Square at Estrella Falls Planned Area Development dated June 27, 2019, which document was declared a public record by Resolution No. 2019-1978 and three copies of which are on file with the City Clerk of the city of Goodyear, Arizona, and which is referred to and made a part hereof as if fully set forth in this Ordinance;
- 2. Prior to the submittal of any site plan or preliminary plat for development within Parcel A, as depicted on Exhibit 3 – Illustrative Conceptual Land Use Plan of the Goodyear Civic Square at Estrella Falls Planned Area Development dated June 27, 2019, a comprehensive streetscape package establishing the design theme for the streets, including cross sections, landscaping, street furniture, and other similar elements, shall be approved by the Development Services Director, or designee;
- 3. Residential development shall not be permitted within Parcel A Northwest, as depicted on Exhibit 3 – Illustrative Conceptual Land Use Plan of the Goodyear Civic Square at Estrella Falls Planned Area Development dated June 27, 2019;
- 4. The Owner shall acknowledge and disclose to any subsequent purchaser or tenant that the subject property is subject to attendant noise, vibrations, and all other effects that may be caused by overflights and by the operation of aircraft landing at, or taking off from, Luke Air Force Base and/or the Phoenix-Goodyear Airport;
- 5. Approval of the rezoning does not constitute approval of the water, wastewater, drainage and traffic memorandums/reports submitted with this rezoning. The submittal of preliminary water, sewer, drainage and grading, and traffic reports shall be required with any application for site plan or preliminary plat for the subject property;
- 6. There shall be no preliminary plat approval(s) on all or a portion of parcels A, B, and C, approved by the City Council until the Development Agreement is approved by Council; and,
- 7. There shall not be any site plans administratively approved by staff on any portion of parcels A, B, or C prior to the Development Agreement being approved by Council.

SECTION 4. AMENDMENT OF ZONING MAP

The Zoning Map of the city of Goodyear is hereby amended to reflect the rezoning of the Property, provided for herein by the adoption of that certain document titled "Official Supplementary Zoning Map No. 19-04A City of Goodyear, AZ – Rezone Case," declared a public record by Resolution No. 2019-1978, three copies of which are on file with the City Clerk of the city of Goodyear, Arizona and which is referred to and made a part hereof as if fully set forth in this Ordinance and such "Official Supplementary Zoning Map No. 19-04A City of Goodyear, AZ – Rezone Case," shall be filed with the City Clerk in the same manner as the Zoning Map of the city of Goodyear.

SECTION 5. ABRIDGMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the city of Goodyear.

SECTION 6. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

<u>SECTION 7.</u> <u>SEVERABILITY</u>

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law. The provisions of the city of Goodyear Zoning Ordinance being amended by this Ordinance shall remain in full force and effect until the effective date of this Ordinance.

SECTION 9. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.
- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.
- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:
 - 1. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or
 - 2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

PASSED AND ADOPTED by the Mayor and Council of the city of Goodyear, Maricopa County, Arizona, this $\underline{8}$ day of $\underline{3}$ day of $\underline{3}$ day of $\underline{3}$.

Tou Georgia Lord, Mayor

7-9-Date:

ATTEST:

Roric Massey, City Attorney

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

CERTIFICATION OF RECORDING OFFICER

)) ss.)

STATE OF ARIZONA

County of Maricopa

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 2019-1440 is a true, correct and accurate copy of Ordinance No. 2019-1440, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the 8th day of 2019, at which a quorum was present and, by a <u>7-0</u> vote, <u>7</u> voted in favor July of said or mance.

Given under my hand and sealed this ______day of __

seal

City Clerk



Aerial Photo Goodyear Civic Square Case No. 19-210-00004



Drawn By: Steve Careccia City of Goodyear Development Services Department Date: 5.15.19





May 10, 2019

Rezoning Narrative

Globe Land Investors, LLC – Goodyear M-U PAD

1. Overview of Request

The subject of this rezoning request is an approximately 103.7 net acre vacant infill site located at the southwest and southeast corners of 150th Drive and Virginia Avenue/Encanto Boulevard ("Site").

The Site is owned by Globe Land Investors, LLC ("Globe"). The existing zoning of the Site is PAD ("Goodyear Planned Regional Center PAD" – Ordinance No. 00-679). The purpose of this request is for the approval of a rezoning from PAD to a Final Planned Area Development (PAD) with form-based principles to allow for the development of a Municipal Core Area within a Mixed-Use Development with other complementary uses. The Site is divided into three distinct Parcels (Parcels "A", "B", and "C"). Parcel A is approximately 48 acres located southwest of the 150th Drive and Montevista Way intersection, Parcel B is approximately 39 acres located northwest of the 150th Drive and Montevista Way intersection, and Parcel C is approximately 17 acres located southeast of the 150th Drive and Parcel A and Parcel B areas, and 150th Drive separates the Parcel B and Parcel C areas. This rezoning request is consistent, compatible, and appropriate for the Site and the surrounding area.

2. This Request is consistent with the purpose and intent of the City's Planned Area Development District ("PAD")

This request for a new PAD is consistent with the purpose of the PAD District, which is to accommodate, encourage and promote developments with innovative design involving residential and nonresidential land uses, which together form an attractive, harmonious development in the community. Globe's development will incorporate a potential new City Hall, Library and Civic Square Park surrounded by an appropriate mix of uses that will complement the City Hall campus and provide residents, employees, and visitors opportunities to shop, work, play and recreate within the area. Further, the proposed PAD incorporates form-based zoning principles that is an innovative design approach to accommodate and encourage the proposed development to be constructed in a fashion that meets the City's and Globe's planning goals and objectives for the area.

Another purpose of the PAD District is to allow standards or criteria that differ from the City's regulations pertaining to other districts when warranted by circumstances such as but not limited

to: alternative residential lot design, innovative architectural or subdivision design features, retirement housing, and infill development involving irregular shaped sites with unique circumstances. The new PAD incorporates development standards and other regulations that are warranted to develop the Site with a mix of uses, such as municipal, commercial, office, educational, and residential, that creates a pedestrian environment within and surrounding the potential future City Hall and capitalizes on the Site's location adjacent to the existing Bullard Wash Park.

3. City's Guiding Considerations for Zoning Amendments

a. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted.

The City of Goodyear's General Plan Land Use Map designates the Site as Business & Commerce. There is adequate infrastructure within the area of the Site to serve the needs of a potential City Hall, Civic Square Park and the diverse mix of other uses proposed on the Site. Further, the diverse mix of proposed uses will meet market demand and create a new unique development within the City of Goodyear where residents and visitors can live, shop, dine, work, and recreate.

Further, the proposed PAD is consistent with the following goals, objectives and policies of the City's General Plan:

- 1. Community Vision: Create a highly desirable and sustainable place for all to live, work, visit, and play.
- 2. Vision Strategy 1: Create Attractive Places and Diverse Destinations.
- 3. Community Goals, Physical Growth and Development Goal GD-1: A compatible mix of land uses and diverse destinations that foster a high quality of life with livable and safe neighborhoods with a strong economy that fosters a healthy and sustainable environment.
 - a. Objective CC-5-1: Establish a land use hierarchy and community form that maintains a broad variety of land uses and responds to the community's vision and needs.
 - i. Policy "b": Provide for and encourage a wide variety of housing products to suit the needs of existing and future residents.
 - b. Objective CC-5-5: Plan for and develop the future City Center site [relocated to this Site] with a mix of cultural, commercial and recreational uses and amenities.
 - i. Policy "a": Build on and update previous planning and design efforts pertaining to the development of a City Center which serves as an activity, entertainment,

educational and employment hub of the community.

- 4. Community Goals, Physical Growth and Development Goal GD-2: Effectively managed and well-distributed growth that meets or exceeds the quality of existing development and addresses the needs of existing and future residents and businesses.
 - a. Objective GD-2-2: Focus new growth in the City's designated growth areas to effectively utilize resources, minimize operation and maintenance costs and attract and efficiently provide new services such as transit and entertainment opportunities.
 - i. Policy "b": Promote development within the City's designated growth areas first, including the Interstate 10 Corridor.
- 5. Community Goals, Physical Growth and Development Goal GD-5: A customercentered level of community services and facilities to serve existing and future residents, businesses, and visitors.
 - a. Objective GD-5-2: Maintain and, where possible and/or needed, improve the level of municipal services and facilities.
 - i. Policy "b": Maintain or strive to improve upon existing levels of service.
- 6. Community and Cultural Development Goal CC-1: Vibrant and complete neighborhoods recognized as being pedestrian and family-friendly, each with their individual character yet connected and integrated into a cohesive Goodyear.
 - a. Objective CC-1-5: Promote neighborhood identity within a shared City culture and bring neighborhoods together.
 - i. Policy "a": Use style, architectural design, form and landscape treatments to create unique identities within neighborhoods.
- 7. Community and Cultural Development Goal CC-2: A diverse stock of high-quality housing that meets the needs of all residents.
 - a. Objective CC-2-1: Provide diverse and quality housing products.
 - i. Policy "b": Encourage mixed-use development.
- 8. Community and Cultural Development Goal CC-3: A parks, trails, open spaces, and recreation facilities system that is regionally and locally linked and accessible which serves existing and future residents and contributes to the community's social, economic, and environmental quality.
 - a. Objective CC-3-1: Develop parks and recreation facilities in support of

programs and events desired by city residents, that support economic development and that promote neighborhood identity and quality of life.

- i. Policy "e": In the Business and Commerce land use category, parks and open spaces primarily should (1) provide plazas for public use integral to the development, (2) contribute to a sense of place, and (3) provide areas to house public and private events such as farmer's markets fairs, art events and festivals that attract visitors who contribute to the City's economy.
- 9. Economic Development Goal ED-2: An environment that nurtures locally based employment and economic opportunity.
 - a. Objective ED-2-3: Seek unique and distinctive opportunities to foster small and/or local business in Goodyear.
 - i. Policy "b": Provide economic opportunities in the City's vast open spaces.
- 10. Standard 41: High density residential development is permitted in the Business & Commerce category when located adjacent to commercial areas.
- 11. Standard 55: When vertical mixed-use development or TND principles are utilized, additional building intensity (such as height and reduced setbacks) and increased residential may be granted.

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

The vacant infill Site is adequately sized (103.7+/- net acres) and relatively flat, which makes it suitable for a mixed-use development that includes a diverse set of land uses, such as a City Hall and Civic Square Park, commercial, office, multifamily and educational uses. The Site has access to surrounding City streets that are appropriately sized and designed to carry new traffic generated by the future development opportunities. Further, Bullard Wash Park is located adjacent to the Site's west boundary and the potential Civic Square Park near City Hall provides open space and recreation opportunities for future residents, employees, and visitors on the Site. Residential developments will also provide additional open space and amenities for their residents.

c. Compatibility of all potential uses allowed in the proposed zoning district with the surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values.

The potential uses on the Site are compatible and complementary to the surrounding community. The intensity and density are planned to be higher within the southern portion of the Site (near the potential City Hall) and decrease in intensity and density further north on the Site. The development is intended to be a walkable and pedestrian friendly environment and form-based

design principles are incorporated into the PAD to capture the vision and aesthetics that are desired in this area. The surrounding properties and community in general will benefit from the future municipal uses, Civic Square Park and other open spaces on the Site, and high quality residential, commercial and office developments.

d. 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 current zoning.

The proposed PAD is consistent and compatible with other land uses existing and entitled within the immediate area. The Site is located within an area that was planned for a mix of diverse land uses and there are existing commercial shopping areas and a theatre located nearby the Site. The uses described within the proposed PAD and the form-based zoning principles included within the proposed PAD are more appropriate for the Site than the existing zoning because of the unique nature and purpose of the development. The potential City Hall and Civic Square Park located within the central portion of Parcel A is a unique type of development within the City that requires a unique set of development standards and design guidelines. The intent of the PAD is encouraging and attracting increased intensity of uses surrounding the potential City Hall and Civic Square Park to activate the area with events, shopping, and general pedestrian activities to create an active area and support active lifestyles with a true "placemaking" ideology.

e. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand.

Market demand for the uses permitted in the proposed PAD should be strong. There is already residential demand within Parcel B that should continue through the entitlement process after the proposed PAD is approved. With respect to Parcel A, there is a unique opportunity to develop properties surrounding City Hall on this Site. This is a one-of-a-kind opportunity that should create demand for development on the Site. There is also strong demand for development within Parcel C, which likely will develop after Parcel B.

f. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment.

There are existing public infrastructure and facilities available to the Site. We do not anticipate significant additional infrastructure required for the Site.

g. 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. We do not anticipate any potential adverse fiscal impacts resulting from development of this Site.

h. General public's concerns.

There are no known concerns from the general public.

i. Whether the amendment promotes orderly growth and development.

This zoning amendment request is consistent with the City's General Plan, compatible with the surrounding area, and promotes orderly growth and development of a diverse mix of uses within an important area with a potential City Hall and Civic Square Park located within its "core." This PAD will allow development on the Site that will become a positive asset to the area.

j. 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 development on the Site will have a positive impact to the general health, safety and welfare of the citizens of the City and the general public with a potential City Hall, Civic Square Park, commercial, office, and residential development within a high quality mixed-use development with opportunities for pedestrians to walk and bike around the area and enjoy everything the City of Goodyear has to offer.

4. Conclusion

The proposed PAD is appropriate for this vacant, underutilized infill Site and consistent, compatible and complementary to the surrounding area and community in general. The proposed diverse mix of uses will allow this development to thrive where residents and visitors can live, work, play and recreate all within the same area. Further, the proposed municipal, open space areas, commercial, retail and entertainment opportunities will benefit the existing residential communities in the area by providing new places to walk or ride a bike to. The proposed PAD incorporates development standards and design principles that fits with the vision of the General Plan and Globe's goals for this area. The future development on this Site will be an asset to the City, its residents, and visitors.

Subject:

FW: Rezoning

From: Margaret Li **Sent:** Thursday, June 20, 2019 7:30 AM To: Katie Wilken <u><Katie.Wilken@goodyearaz.gov></u> Subject: Re: Rezoning

▲ This email arrived from an external source - Please exercise caution when opening any attachments or clicking on links

Good morning Katie

Please accept this email in opposition to the zoning change proposal 19-210-00004 Goodyear Civic Square.

This land should not be changed to the designed use as proposed as the support facilities for this proposed occupancy far exceeds the deliverable possible. The school system can not handle the added volume and the stores, restaurants and services in Goodyear are over taxed to begin with. I am going to hear back from you that if there were more people there would be more and that is NOT the answer I am looking for. I have seen the flooring of the Walmart store in Avondale resurfaced 3 times since 2009 and that should be an indication of the volume of users in the marketplace alone.

If there is to be apartment living then make it transparent box style buildings do not promote a walk-able community and do nothing to add to a desirable place.

Please consider main floor retail/ commercial that are inviting not walled compounds. Restaurants that spill out on to large walkways, seated areas or gardens, walls should be transparent or a large amount of window vs wall. As for the schooling I truly can not speak too, I know my neighbors are quite concerned.

Take a look at your rendering that was suggested does it truly look like anything you would want in your area? Other than a contemporary roof line, which does not reflect anything in the adjacent residential area, it has a institutional look to it. Maybe you folks think it will look good with the storage compound that your also suggesting for the land across from Cal Ranch.

You have really gone to far from the original master plan for this area and need to consider what your end goal is, if it is to fill space? then you have succeeded. If it is to build healthy communities you have failed.

ON ANOTHER NOTE:

This is totally from a personal perspective from a snowbird. Your method of sharing information is very discriminatory to those of us that winter in the USA. Is there any consideration to the timing of these rezoning applications or the current notification system? We are only allowed to stay in your country 182 days a year, that is your current Immigration policy for Canadians, 120 days by the iRS unless specific forms and steps are taken by the individual. We have lived and owned our home in the Rio Paseo area since 2009 and pay the taxes as required and are peaceful and contributing members of our community.

From:	A.B.
To:	Katie Wilken
Subject:	Land accross from the waterfall and cottages in Goodyear, 85395.
Date:	Wednesday, June 26, 2019 4:06:23 PM

This email arrived from an external source - Please exercise caution when opening any attachments or clicking on links

Hello Katie,

we are not able to come to the meeting today. We just wanted to let you know that four members of our family are not okay with the rezoning of the land accross from the waterfall and cottages in Goodyear, 85395.

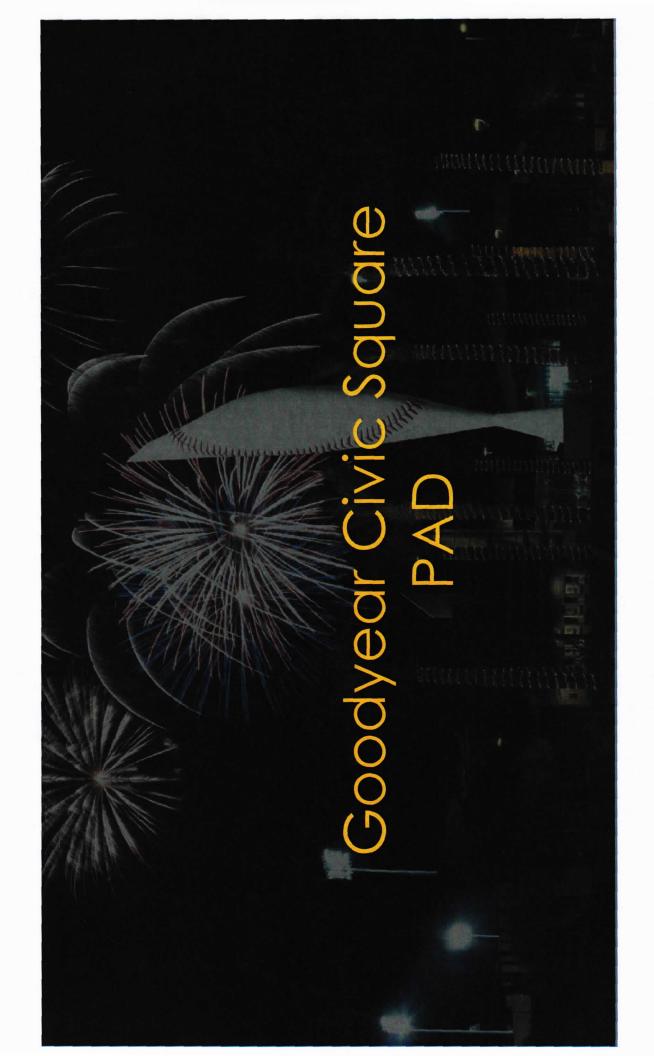
There should be something like park and entertainment built there.

We live in Rio Paseo.

Thank you,

Anna

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Location

- 104 acres
- North of McDowell Road





Current Zoning

- Goodyear Planned Regional Center
- Zoned in 2000/2001

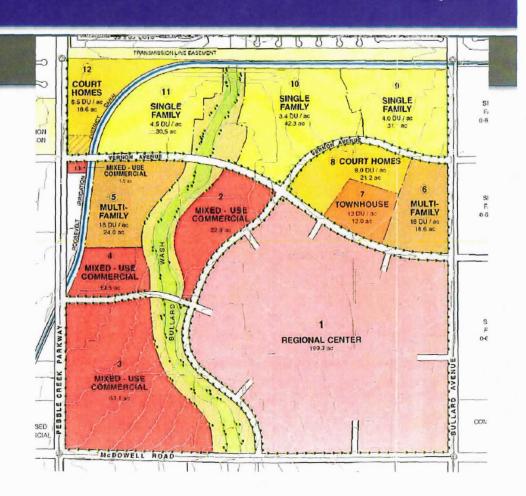




Current Zoning

GOODYEAR CIVIC SQUARE

- Mix of Uses
- Graduated Density



Goodvear

Current Zoning

GOODYEAR CIVIC CENTER

Permitted:

- Automotive Sales
- Car Wash
- Custom Manufacturing
- Funeral homes

Use Permit:

- Heliport
- Machinery equipment storage & sales
- Recycle center
- Outdoor storage

Permitted Uses are shown with a "P" below and the uses that require a use permit are shown with a "UP".

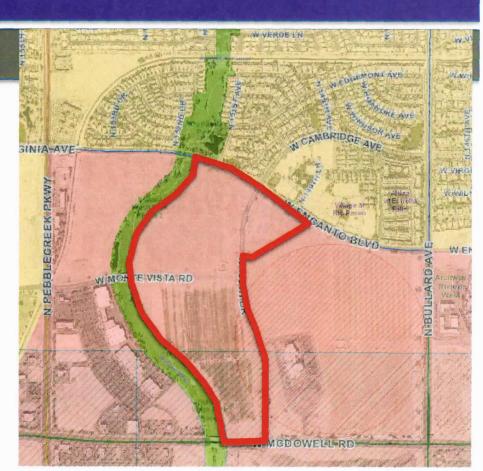
Permitted Uses	Mixed Use Commercial	Regional Shopping Center	
Amateur Communication Tower	P	P	
Automotive sales	P	P	
Automotive service, major	P	P	
Automotive service, minor	P	P	
Bar, lounge or tavem	P	P	
Blood bank, plasma center	UP	UP	
Business, trade or technical school	P	P	
Car wash	P	P	
Carry-out food service	P	P	
Cleaning or processing establishments	P	P	
Clinics and health care facilities	UP	UP	
College and universities	P	P	
Commercial amusement, indoor	P	P	
Commercial amusement, notoo	UP	UP	
Communication tower	UP	UP	
Conference and banquet facilities	P	P	
Convenience retail centers	P	P	
Convenience storage (mini storage)	- UP	UP	
Custom manufacturing	P	P	
Day care centers (elderly and youth)	P	P	
	P	P	
Dry cleaning Financial institution with drive through	P	P	
Financial Institution with onve dirologin	P	P	
	P	P	
Game court, lighted		P	
Game court, unlighted	P	P	
Goll, tennis, swim/fitness clubs	P	P	
Health Club	- UP	UP	
Helistop, heliport	UP	UP	
Hospital	P	P	
Hotels, motels, resorts	UP	+	
Kennel	P	P	
Libraries and museums	P	P	
Liquor store		UP	
Machinery and equipment storage, sales and repairs	UP		
Medical office	P	P	
Medical or scientific laboratories	P	UP	
Mobile office, temporary	UP	UP	
Nursing homes	P	P	
Offices-general, business, professional	P		
Outdoor event, temporary	UP	P	
Outdoor retail sales	P		
Outdoor storage	UP	UP	
Parking lots	P	P	
Parking structures	P	P	
Parks	P	P	
Daven share	I ID		



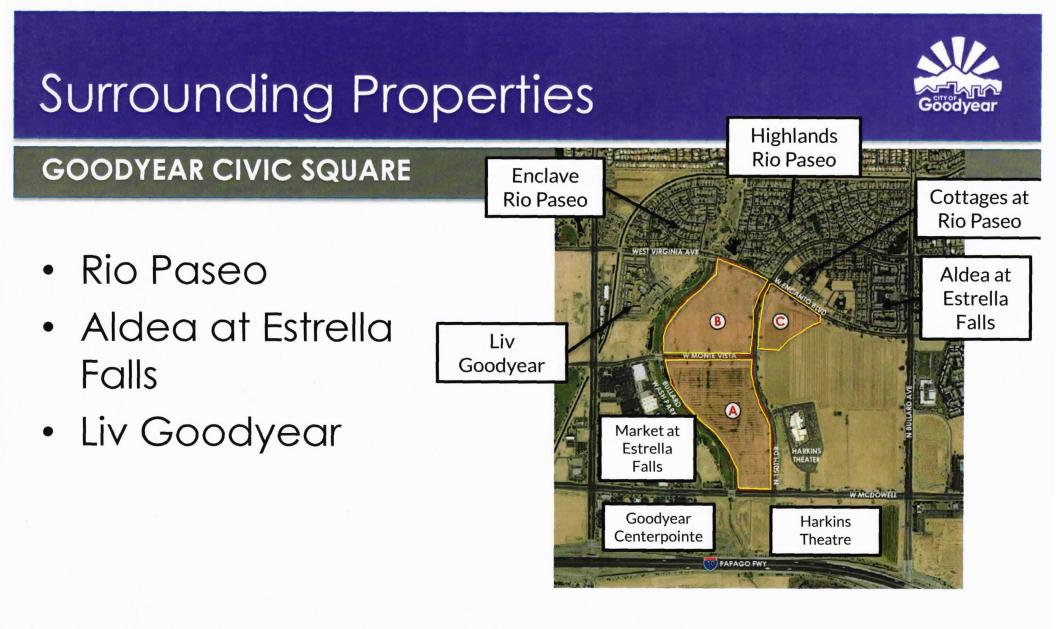
Use Permit Require By Stip. No. 41 of

General Plan

- Designated Business & Commerce
- Residential allowed over 12 du/acre
- Village Center & TOD Overlay







PAD Proposal

GOODYEAR CIVIC SQUARE

Parcel A - 48 acres "Civic Square"

Parcel B - 39 acres "Residential"

Parcel C - 17 acres "Mixed-Use"



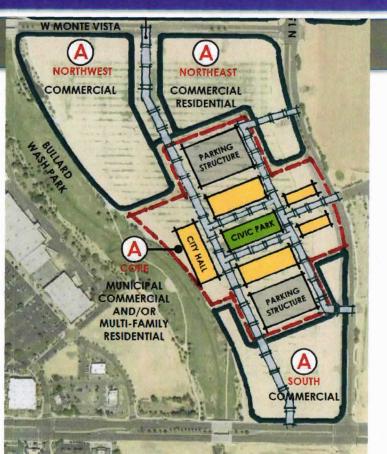
Parcel A – Core Area



GOODYEAR CIVIC SQUARE

Uses

- Mix of retail, office, restaurant, entertainment
- Residential if not on first floor
- Prohibited uses include mini-storage, auto-oriented uses, smoke shops, tattoo, pawn shops, funeral home
- Height 150-feet (40-feet min; 20feet within prox to 150th drive)
- Perimeter setbacks determined



Parcel A – Outside Core Area



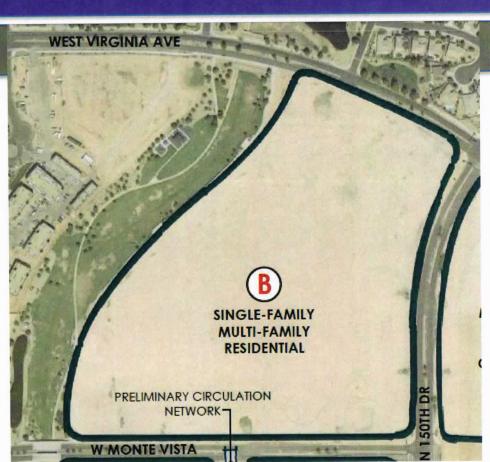
Uses

- Same as core area
- Hospital, trade schools
- Residential in northeast section
- Height 150-feet (20-feet min)
- Perimeter setbacks
 determined



Parcel B

- Uses
 - Single family
 - Multi-family
- Development Standards
 - Traditional detached
 - Green courts
 - Townhomes

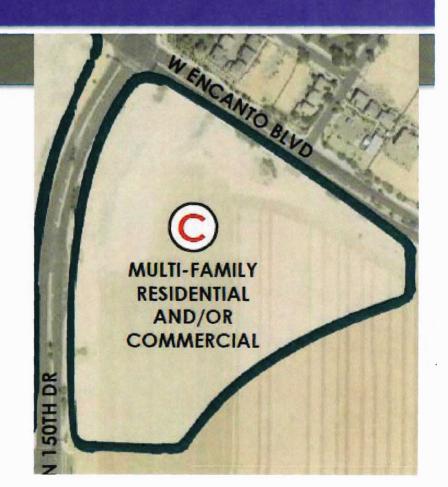




Parcel B

Göödyear

- Uses
 - Uses allowed on Parcel A
 - Multi-Family Residential
 - Urgent care and agerestricted multi-family
- Height 60-feet (25-feet min)
- Perimeter setbacks determined



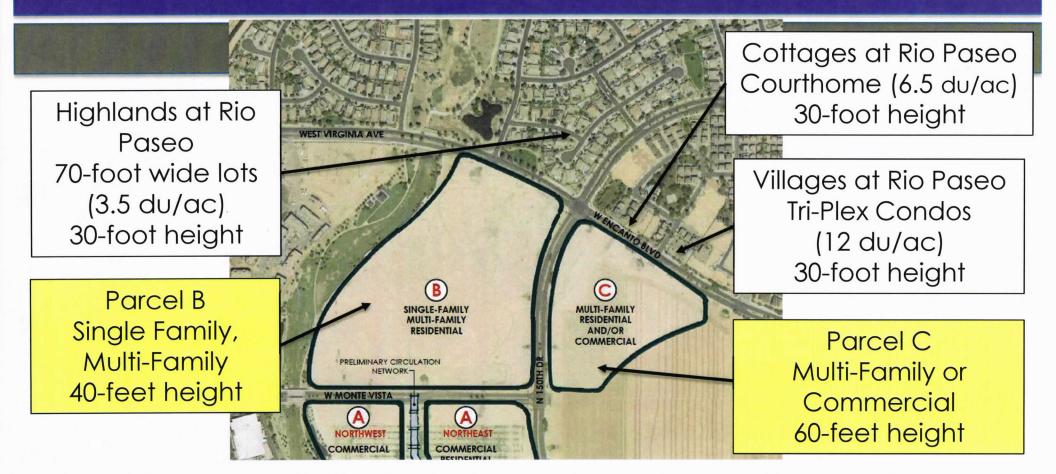
PAD Proposal

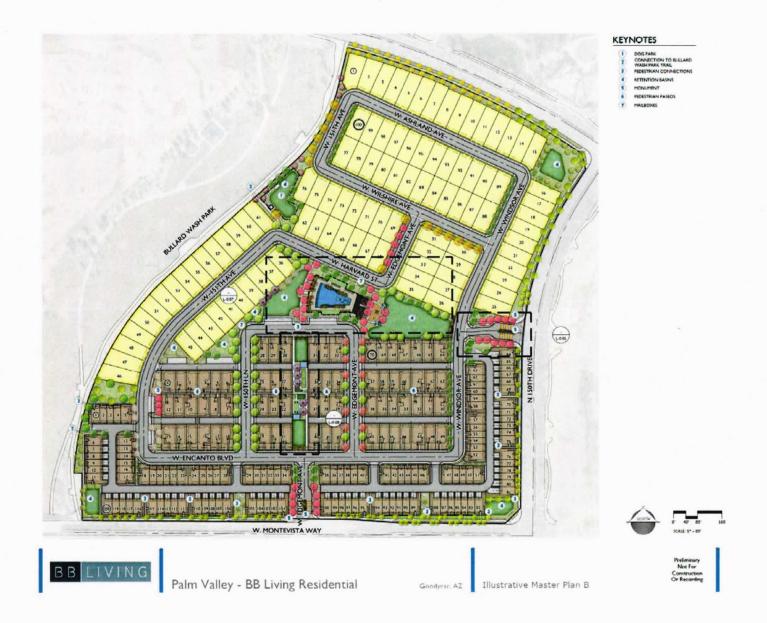
- 142 acres site for Regional Mall preserved
- 100+ acres of general commercial
 - Plus acreage in Civic Square
 - Plus surrounding areas

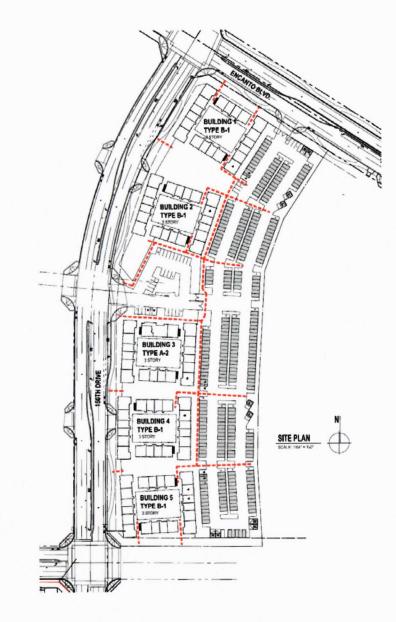


PAD Proposal





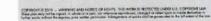




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	ROB GASPARD / RGASPARD@WORKSBUREALLCOM 603-395-6664	A NOR Seven X			
ZONING		1044			
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LINDEROTH R&D INFILL APARTMENT CONCEPT CITY OF PHOENIX, ARIZONA



04162019

Review Criteria



- Consistency with General Plan
- Suitability of physical & natural features
- Compatibility of uses with surrounding uses and zoning
- Consistency with land uses in immediate area
- Demand for types of uses in relation to land currently zoned for use
- Demand for public services
- Adverse fiscal impacts resulting from providing services
- Orderly growth and development
- General public concerns

Public Participation



- Neighborhood Meeting June 5
- Approximately 14 residents
- Support for civic and commercial uses
- Opposition to multi-family
 - Increased crime, traffic
 - Potential impacts to schools and amenities

Recommendation



- Consistent with the general plan
- Meets review criteria
- Recommend approval





Arrowhead



AGENDA ITEM #: <u>14.</u> DATE: July 8, 2019 CAR #: 2019-6640



CITY COUNCIL ACTION REPORT

SUBJECT: Rezoning to Planned Area Development (PAD) for the Goodyear Civic Square at Estrella Falls

STAFF PRESENTER(S): Katie Wilken, Planning Manager

OTHER PRESENTER(S): Ed Bull, Burch & Cracchiolo, representing Globe Land Investors

Summary: This request is a rezoning of property from the PAD (Planned Area Development) zoning district to the PAD (Planned Area Development) zoning district. The new PAD will permit the property to develop with a mix of uses, including civic, commercial and residential uses.

Recommendation:

- 1. Conduct a public hearing to consider a rezoning from Planned Area Development (PAD) to Planned Area Development (PAD).
 - a. Open the Public Hearing
 - b. Staff Presentation
 - c. Applicant Presentation
 - d. Receive Public Comment
 - e. Close the Public Hearing
- 2. APPROVE RESOLUTION 2019-1798 DECLARING AS PUBLIC RECORDS THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK TITLED "OFFICIAL SUPPLEMENTARY ZONING MAP NO. 19-04A CITY OF GOODYEAR, AZ – REZONE CASE", "GOODYEAR CIVIC SQUARE – LEGAL DESCRIPTION" AND "GOODYEAR CIVIC SQUARE AT ESTRELLA FALLS FINAL PLANNED AREA DEVELOPMENT DATED JUNE 27, 2019.
- 3. APPROVE ORDINANCE 2019-1440 CONDITIONALLY REZONING APPROXIMATELY 104 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO PLANNED AREA DEVELOPMENT (PAD) FOR A DEVELOPMENT TO BE KNOWN AS THE GOODYEAR CIVIC SQUARE AT ESTRELLA FALLS PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; 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 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 subject property consists of approximately 104 acres generally located east of the Bullard Wash, between McDowell Road and Virginia Avenue/Encanto Boulevard.

The General Plan Land Use Plan designates the subject property as 'Business and Commerce'. The 'Business and Commerce' land use category provides for the growth and development of shopping, office and entertainment areas along with high density residential and public and community facilities.

The subject property is currently a part of 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 Regional Center. Both of these PAD land uses are intended for commercial use. No development has occurred on the subject property. The property intended for the Estrella Falls Regional Center is not a part of the subject property.

Staff Analysis

Current Policy:

A request to rezone property requires public review and approval by the Planning and Zoning Commission and the City Council through the public hearing process. The rezoning must be in conformance with the General Plan and should not adversely impact the surrounding area as outlined in the Zoning Ordinance.

Details of the Request:

The request is to rezone the approximately 104-acre subject property in order to create a new Planned Area Development (PAD) that will permit the development of a mix of uses on the property. The PAD will be known as the Goodyear Civic Square at Estrella Falls. The intent of the PAD is to create an urban, pedestrian-oriented development that will be a center for civic administration, services and events. The area is also intended for the development of higher intensity office and commercial development. Another key component of the PAD is the provision for higher density residential development, which will support the commercial development anticipated in the area and help activate the civic spaces.

As proposed within the PAD, the subject property has been divided into three separate development parcels – A, B and C. An overview of each parcel is provided below:

1. Parcel A

Parcel A is approximately 48 acres. This parcel is bounded by McDowell Road, 150th Drive, Monte Vista Drive and the Bullard Wash. Parcel A will contain the core area intended for city hall and the two-acre civic park. Uses permitted within the core area are intended to support a more pedestrian-oriented, urban environment, with such uses including government and professional offices, services and retail, and entertainment, among other uses. Prohibited within the core area will be drive-through uses, such as drive-through restaurants, with the exception that a financial institution may have a drive-through subject to use permit approval. Outside of the core area, uses may include educational uses, multi-family residential, hospitals, trade schools, office, general commercial and retail uses.

2. Parcel B

Parcel B is approximately 39 acres. This parcel is bounded by Monte Vista Drive, 150th Drive, Virginia Avenue and the Bullard Wash. Uses permitted within this parcel include single family and multi-family residential. Properties and/or units may be offered for sale or rent. Maximum residential densities are not established. Instead, development standards, such as maximum height and setbacks, will control and guide development.

3. Parcel C

Parcel C is approximately 17 acres. This parcel is bounded by the Estrella Falls Regional Center to the south and east, 150th Drive and Encanto Boulevard. Uses permitted within Parcel C include all of those uses permitted outside the core area of Parcel A along with urgent care facilities.

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

As previously mentioned, the General Plan designates this area as 'Business and Commerce'. As such, the following standards from the General Plan are applicable to the request:

Business and Commerce Development Standard 36

Commercial and office uses are appropriate throughout the 'Business and Commerce' category.

The PAD will permit and provide for the development of commercial and office uses within Parcels A and C in conformance with this standard.

Business and Commerce Development Standard 39

Businesses with high employment density are encouraged to locate adjacent to high capacity roadway corridors (freeways, parkways, arterials) and transit corridors (light rail and arterials with bus service) to leverage high visibility and vehicular/pedestrian access.

The PAD is located within close proximity to several arterials as well as having direct access to I-10.

Business and Commerce Development Standard 40

Walking and biking should be accommodated and encouraged by providing trails, bike lanes, sidewalks and paths to allow for safe pedestrian movement. Linkages to nearby residential developments should be provided in conformance with Standard 28.

The PAD includes land uses and development standards that are intended to create a walkable, urban environment. Buildings will be placed close to the street while the streets themselves will be configured to an urban standard (i.e. reduced street width, wide sidewalks) so as to promote pedestrian traffic and public interaction. The PAD also includes development standards and design guidelines requiring integration with adjacent streets, open spaces, including the Bullard Wash, and neighboring uses.

Business and Commerce Development Standard 41

High density (multi-family) residential development is permitted in the 'Business and Commerce' category when located adjacent to a community or regional park, open space area, single family residential, commercial area or used as a buffer between the 'Neighborhoods' category and 'Business and Commerce' category. Circulation and access to necessary amenities such as schools and grocery stores, and compatibility with surrounding existing and planned uses shall be taken into account when considering this type of use in the 'Business and Commerce' category.

The residential development proposed within the PAD is located adjacent to open space and park area as provided by the Bullard Wash. Other amenities, including retail and service uses, are located in close proximity to the PAD. The proposed residential development will also serve as a buffer between the commercial development within the PAD and the existing single family neighborhoods to the north of Virginia Avenue/Encanto Boulevard. Densities transition from low density, single family adjacent to these existing neighborhoods to higher densities along Monte Vista Drive. While the General Plan calls for high density residential development within the 'Business and Commerce' land use, some low density development is proposed. However, the overall density of the project will achieve the high density recommendation of the General Plan, while the proposed low density development will provide an appropriate buffer for the existing neighborhoods.

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

The subject property is relatively flat and currently undeveloped or utilized for agricultural purposes. The property's physical and natural features are suitable for the proposed uses intended with this rezoning application. Furthermore, the property will be required to be developed in accordance with all applicable design guidelines and standards, including those for grading and drainage.

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

Uses and development surrounding the subject property include:

North – Virginia Avenue/Encanto Boulevard and various neighborhoods within Rio Paseo.

South - McDowell Road and portions of the Estrella Falls Regional Center.

East – 150th Drive and portions of the Estrella Falls Regional Center.

West - Bullard Wash.

The proposed development should not adversely affect the areas surrounding the subject property. The uses and development intended with this PAD rezoning will be compatible with the commercial uses planned and existing in the surrounding area. They will be of like intensity and use, and should therefore not result in any adverse impacts on these commercial operations. The traffic analysis submitted as part of this PAD rezoning generally indicates that the number of vehicular trips will be less when compared to the number of trips that could be generated under the existing zoning. As such, the PAD rezoning will not result in any additional adverse impacts, as a result of traffic generation, to the surrounding area. Further, the PAD proposes to locate residential uses within Parcel B, adjacent to the residential neighborhoods north of Virginia Avenue, where the existing PAD zoning currently allows mixed use commercial. As such, the PAD proposes greater land use compatibility since residential uses of similar density will be located in proximity to each other (see below). For the existing residential areas north of Encanto Boulevard, which are higher density court home and town home developments, the PAD proposes to locate multi-family residential or commercial within Parcel C. This is consistent with the commercial uses currently allowed under the existing zoning, and will therefore not introduce any additional incompatibility. And as previously stated herein, the addition of multi-family housing to Parcel C will provide for increased land use compatibility with the existing residential areas located to the north.



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.

Luke Air Force Base:

The subject property is located within the vicinity of a military airport. A stipulation of approval will require the developer to provide notice of base operations to future residents and tenants of any proposed residential development.

Phoenix-Goodyear Airport:

The subject property is located within the Traffic Pattern area of the Phoenix-Goodyear Airport. A stipulation of approval will require the developer to provide notice of airport operations to future residents and tenants of any proposed residential 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.

The applicant has indicated that market demand for the types of commercial and residential uses proposed within the PAD 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 Litchfield Elementary School District and the Agua Fria Union High School District. The school districts were notified of the application and no comments have been received to date.

Fire Response:

Emergency response times and distances are provided below:

Nearest	Shortest path		Longest path				st path	Longe	st path
Goodyear Fire Station	Mins	Miles	Mins	Miles	Goodyear Fire Station	Mins	Miles	Mins	Miles
#185	3.43	1.71	5.19	2.59	#183	3.52	1.75	5.98	2.99

Police Response:

The property 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 several existing, fully improved public roadways. As previously noted herein, the traffic analysis generally indicates that there will be a reduction in the number of vehicle trips generated by the proposed development compared to the number of trips that could occur under the existing zoning.

Prior to any development within Parcel A, a comprehensive streetscape package will be required to be submitted and approved by the Development Services Director. The streetscape package will establish the design to be used for the streets, including the width and configuration, landscaping and associated hardscape improvements. The intent of the comprehensive streetscape package will be to ensure the streets reflect the desired aesthetics and walkable, pedestrian-oriented design intended with the Civic Square PAD.

Water/Wastewater:

The subject property will be served by Liberty 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 subject property is adjacent 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 Participation:

A neighborhood meeting was held on June 5, 2019. Approximately 14 residents from the surrounding neighborhood were in attendance. Residents were generally in support of the

civic and commercial development proposed within Parcel A. However, residents were opposed to any additional multi-family development within the area. Concerns included increased traffic and crime and the potential for adverse impacts to schools and surrounding amenities.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a postcard mailed to the owners of property within 500 feet of the subject property, including the HOAs for Rio Paseo, Palm Valley and PebbleCreek; a legal notice published in the Arizona Republic on June 7, 2019; and two notices of public hearing signs posted on the property. To date, staff has received two emails in opposition to the PAD rezoning (attached).

At the public hearing on June 26, 2019, one member of the public spoke. The resident asked if the library would be part of phase 1 of the development and expressed concern with the limited vehicular access to the residential parcel. Staff responded that the library would be part of phase 1 of the development. Commission voted 5-0 to recommend approval of the rezoning, subject to two additional stipulations (stipulation #6 and #7) that were introduced at the meeting.

9. Whether the amendment promotes orderly growth and development.

The area subject to this PAD rezoning is an infill property located within the proximity of existing public infrastructure and services. The property is suitable for the type of development proposed with this PAD rezoning.

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 development of the subject property will be required to adhere to all applicable design, building, and engineering standards of the city of Goodyear. Adherence to these standards will be evaluated during the site plan, civil engineering and building plan review processes.

Attachments

- 1. Resolution No. 2019-1978
 - a. Exhibit A Supplementary Zoning Map No. 19-04A
 - b. Exhibit B Legal Description
 - c. Exhibit C Goodyear Civic Square at Estrella Falls Planned Area Development
- 2. Ordinance No. 2019-1440
- 3. Aerial Photo
- 4. Rezoning Narrative
- 5. Correspondence Received