



CITY COUNCIL ACTION REPORT

SUBJECT: SPECIAL USE PERMIT FOR A PRIVATE CLUB (MOOSE LODGE)

STAFF PRESENTER(S): David Williams, Contract Planner

OTHER PRESENTER(S): Lance Baker, Synectic Design, Inc.

SUMMARY: A request for a Special Use Permit to allow a private club on an approximately 3-acre parcel zoned C-1 (Neighborhood Commercial) located at 1572 South Cotton Lane.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION:

1. Approve a Special Use Permit for a private club on an approximately 3-acre parcel, zoned C-1 (Neighborhood Commercial) located at 1572 South Cotton Lane (the "Property") subject to the following stipulations. (David Williams, Contract Planner)

STIPULATIONS:

1. The Conceptual Site Plan attached hereto has not been approved and development on the Property will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation. Notwithstanding the foregoing, the Property shall be developed in substantial conformance with the Conceptual Site Plan attached hereto, and an amendment to the Special Use Permit shall be required if the property owner/developer wants to reconfigure the site and the Zoning Administrator or his/her designee determines the proposed site plan is not in substantial conformance with the Conceptual Site Plan attached hereto;
2. The City of Goodyear reserves the right to initiate revocation of the Special Use

Zoning in the event that the Special Use is not operated in compliance with the stipulations stated herein or as represented in the Special Use Permit application;

3. The buildings developed on the Property shall be in substantial conformance with the conceptual building elevations attached hereto;
4. The Property shall be developed in substantial conformance with the conceptual landscape plans attached hereto;
5. Outdoor storage shall not be permitted on the Property, however, the two cargo storage containers currently located on the Property may remain until the building reflected in the Conceptual Site Plan has been completed or until any renovations on the Property that require the issuance of a new certificate of occupancy have been completed. No certificates of occupancy shall be issued for any renovations or construction of new structures on the Property until the two cargo storage containers currently located on the Property have been removed.
6. Signage is not being approved with the approval of this Special Use Permit. All signage on the Property shall comply with Article 7 (Sign Regulations) of the City of Goodyear Zoning Ordinance; and
7. The Property shall conform to the standards designated for Lighting Zone 2 as established in Article 10, Outdoor Lighting Standards, of the City of Goodyear Zoning Ordinance.
8. This Special Use Permit shall expire unless the Property is substantially completed, as determined by the Zoning Administrator or his/her designee, in accordance with the approved site plan within five (5) years from the date of the City Council approval of this Special Use Permit.
9. All outdoor activities shall be limited to the patio area to be located on the east side of the building and the parking areas to be located east and north of the rear of the building. No outdoor events shall be held in the parking areas that are to be located south of the building and/or along the southern boundary of the Property as reflected in the Site Plan. Unless a special event permit or temporary use permit is obtained from the City that allows for outdoor music, outdoor entertainment, and/or other outside activities to occur at other times, outdoor music, outdoor entertainment, and/or other outside activities shall only occur between the hours of 10:00 a.m. and 10:00 p.m. on Fridays and Saturdays and 10:00 a.m. and 8:00 p.m. Sunday through Thursday.
10. The noise generated by indoor music, entertainment, and/or other activities within the structures after the hours of 10:00 p.m. shall be fully contained within the indoor space of the structure.

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. 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 Property is zoned C-1 (Neighborhood Commercial). The C-1 zoning was approved on March 14, 2016 with City Council approval of Ordinance No. 2016-1328. A Private Club is not a permitted use as a matter of right within the C-1 (Neighborhood Commercial) Zoning District. However, according to the Maricopa County Assessor's records, original structure was built in 1958, and it existed when the Property was annexed into the city.

The Property received a Special Use Permit, Case No. 14-350-00003, on March 12, 2016 for the relocation of the existing building pending ADOT expansion of Loop 303. The Special Use Permit was granted an extension on March 26, 2018. The Special Use Permit extension expired on March 14, 2019.

STAFF ANALYSIS:

Current Policy

Pursuant to Section 4-1-3 of the Zoning Ordinance (Special Uses Considered in Specified Districts), private clubs and fraternal organizations may be considered as a Special Use in any commercial and industrial zoning district. Applications for Special Use Permits are to be processed in the same manner as an application to amend the boundaries of a zoning district as set forth in Section 1-3-1 (Amendments) of the Goodyear Zoning Ordinance as supplemented by Section 1-3-4 (Special Use Permits) of the Goodyear Zoning Ordinance.

Pursuant to Section 1-3-4 of the Zoning Ordinance (Special Use Permits), a Special Use requires review by the Planning and Zoning Commission and approval from the City Council through the public hearing process.

The Planning and Zoning Commission considered this item at their regular meeting held on October 18, 2023. Commissioners voted unanimously (6-0) to forward a recommendation of approval to the City Council as originally presented to the Planning and Zoning Commission.

Details of the Request

The applicant is requesting to construct a new building to replace the existing lodge in a new location on the existing property, due to ADOT acquiring the land for the Loop 303 expansion where the existing building is currently located.

Pursuant to the conceptual site plan, attached hereto, the proposed private club will include a 6,600 square foot building and a 1,762 square foot patio.

Special Use Permits expire 2 years after City Council approval, however, the applicant is

requesting a Special Use Permit expiration end date for 5 years from the date of City Council approval. This is to prevent the applicant from initiating a Special Use Permit a third time, if any delays occur with the expansion of Loop 303. A stipulation has been added to address this request.

The applicant is also requesting that the Moose Lodge may keep existing outdoor storage containers on the property until the building is constructed. The Zoning Ordinance permits outdoor storage containers for commercial properties only in the Commercial Business District. In order to continue the use of the storage containers the applicant is making the request that they be allowed to remain through construction and be removed prior to the issuance of a certificate of occupancy. A stipulation has been added to address this request.

The following evaluation is being provided in conformance with Sections 1-3-1 and 1-3-4 of the Goodyear Zoning Ordinance:

1. Will be desirable or necessary to the public convenience or welfare:

The project narrative indicates that the Moose Lodge holds private events for their members including bingo, game nights, and various other charity fundraising events which include breakfasts, lunches and dinners as well as live music. Additionally, the facility would be available for rent for members of the community to hold events at as well.

This site was originally built in the 1950's when little or no standards existed under county regulations and has been considered legal non-conforming. This new proposal will redevelop the site in full conformance with current zoning and building codes, which will be a significant improvement over the current conditions of the site.

2. Will be harmonious and compatible with the other uses adjacent to and in the vicinity of the selected site or sites:

The site is zoned C-1 (Neighborhood Commercial). The property is surrounded by residential neighborhood (Cotton Flower Unit 2) to the west and commercial center (Cotton Flower Marketplace) to the north and residential neighborhood Canyon Trails Unit 4 South to the southeast. Canyon Trails will be physically separated from the use by the future Loop 303. To further work with the neighborhood, the outdoor patio has been relocated from the west side of the building to the east side, away from the resident's to the west.

3. Is in conformance with the adopted General Plan and any adopted Area Plans:

The Property is located within the Neighborhoods land use as designated by the city's 2025 General Plan. The Neighborhoods category provides areas for growth and development of neighborhoods. This category is designed to provide "complete neighborhoods" that include community facilities and commercial uses at appropriate intensities and locations. The existing Neighborhood General Plan land

use designation allows for Neighborhood Commercial uses. As such, the use of the Property for a private club will be in conformance with the General Plan.

4. *Will not be detrimental to surrounding properties in the area due to:*

a. *Impact on the circulation system of the adjacent neighborhood:*

Right in/right out access to the facility is proposed off of S Cotton Lane/ the proposed Loop 303. Traffic generation from the proposed special use will not adversely impact any of the surrounding local roadways.

b. *Excessive noise or light generated from within the site:*

The development is required to comply with the City's Zone 2 lighting standards, which are designed to protect adjacent developments by requiring full cutoff lights and other mitigation measures. Excessive noise is not anticipated as the operations of the Moose Lodge will be consistent with how it has operated for decades. Nonetheless, because additional outdoor activities are expected with the construction of a patio area and additional paved parking, stipulations have been added to require outdoor activities occurring within the parking areas and on the proposed patio are located on the east side of the building, away from adjacent residential uses and time limits for activities have been added.

c. *Excessive scale or height in relationship to surrounding properties:*

The height of the proposed buildings is 32 feet, including parapet (allowed 5 feet of parapet above height requirements). The C-1 (Neighborhood Commercial) zoning district has a maximum height of 30 feet. The adjacent residential homes have a maximum height of 30 feet. The building is within the scale appropriate to the zoning district and surrounding residential uses.

d. *Hours of operation:*

The private club proposes to be open Monday through Saturday from 10 AM to 2 AM and Sunday from 7 AM to 12 AM to members. The applicant expects the site will mostly be accessed weekends. Staff does not recommend any restrictions to the hours of operation given the hours remain unchanged from the current hours of operation except with respect to limitations regarding outdoor activities.

e. *Inadequate parcel size to provide adequate buffers or mitigation to surrounding properties:*

The proposed parcel size is appropriate for the private club facility. As provided on the attached site plan, the development will provide adequate buffers and setbacks from surrounding properties.

f. *Inconsistency with the development character or architecture of the adjacent*

properties:

As shown on the conceptual building elevations, attached hereto, the building design has been proposed to be complementary to the adjacent properties and includes desert colors. The building proposes the use of horizontal corrugated metal panels, distressed “wood” metal panels, steel canopies and grey masonry block. The building materials appear to meet city design guidelines.

Phoenix-Goodyear Airport & Luke Airforce Base

The site is subject to noise from aircraft flying to and from Phoenix-Goodyear Airport and Luke Airforce Base. However, there should be no adverse impacts to the airport or base from the continued operation of the private club, as it has operated onsite for several decades in a compatible manner with the airport and base.

Fire Department

Emergency response times and distances are provided below:

Nearest Fire Station	Shortest path		2nd nearest Fire Station	Shortest path	
	Mins	Miles		Mins	Miles
#184	2.82	1.5	#181	11.67	5.84

Public Participation

In accordance with the city’s Citizen Review Ordinance, a Citizen Review meeting was held on August 22nd at 6:00 PM. Notices of the meeting was sent to all property owners within 500 feet of the property. The meeting had approximately 33 people in attendance, all members of the Moose Lodge. No neighbors unaffiliated with the lodge were present. The applicant’s architect, Lance Baker, did a presentation about the project followed by answering questions. There were questions related to the turn lane currently being installed by City Public Works in front of the building, and it was explained that it was unrelated to the Special Use Permit application and was rather a safety improvement being implemented by the City. A question was asked of Mr. Baker regarding fire sprinklers and he indicated that it would be a deferred submittal once the permits were approved, but that the building would meet all fire code requirements. Staff answered a question related to City next steps and processing and let the group know the timeline of events moving forward and encouraged any written comments to be submitted to email as well as encouraging attendance at the Planning Commission and Council meeting.

Notice for the public hearings before the Planning and Zoning Commission and City Council included a notice mailed to property owners within 500 of the property, a sign posted on the property, and a legal notice published in the Arizona Republic, Southwest Edition, on September 29, 2023. To date, staff has not received any inquiries on the project.

The Planning and Zoning Commission considered this item at their regular meeting on October 18, 2023. Staff presented the case and there were no questions. The applicant was available, however there were no questions directed at the applicant. The

Commission then unanimously voted (6-0) to forward a recommendation of approval to the City Council.

STAFF FINDINGS

As outlined herein, and with the recommended stipulations, staff finds the proposed request for Special Use Permit to not be materially detrimental to persons residing or working in the vicinity adjacent to the Property, to the neighborhood, or to the public welfare and that the proposed use is reasonably compatible with uses permitted in the surrounding area. Staff further finds the request for Special Use Permit will meet the additional evaluation criteria for convenience uses as established in Section 1-3-4 of the Zoning Ordinance.

ATTACHMENTS:

1. Conceptual Site Plan
2. Conceptual Building Elevations
3. Conceptual Landscape Plans
4. Aerial Photo
5. Project Narrative