



Meeting Minutes

Planning & Zoning Commission

Wednesday, April 15, 2015

6:00 PM

Goodyear Justice Center
14455 W. Van Buren St., Ste. B101
Goodyear, AZ 85338

AMENDED MINUTES

Note added regarding approval of March 18, 2015 minutes

1. CALL TO ORDER

Chairman Peters called the meeting to order at 6:00 pm.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present 6 - Chairman Ryan Peters, Vice Chairman Vickie Hamilton, Commissioner Cathleen Short, Commissioner Patrick Bray, Commissioner Jason Kish, and Commissioner Kathleen Molony

Absent 1 - Commissioner Randy Barnes

Staff Present: Planning Manger Katie Wilken, Architectural Planner Chris Flodin, Planner I Alex Lestinsky and Development Services Administrator Bobbie Fulbright.

4. MINUTES

[P&Z MIN 04-2015](#) Approve draft minutes of the Planning and Zoning Commission meeting held on March 18, 2015

Commissioner Hamilton submitted the following statement regarding the March 18, 2015 minutes:

"I am disappointed in the lack of detail in the March 18, 2015 P&Z Commission minutes, especially in the Commission's comments regarding the Estrella Commons case. To the point, Mr. Bull inferred the only use of the land due to lack of access was Single Family Residence, whereas, when I asked Katie Wilken, she indicated there were other possible uses, whereas, Mr. Bull admitted that this proposed use was the most marketable use. I do not believe the minutes reflect this nor do they adequately express the concerns of Commissioners Kish and Molony. The minutes also did not reflect Commissioners concerns regarding the project in light of the recently approved 2025 Goodyear General Plan.

I am also concerned that the City Council voted on this case prior to Commission approving the minutes thereby making any corrections and/or additions a moot point. On numerous occasions

I have heard the Mayor and City Council members state that the minutes of Commission guide them when studying and evaluating cases in that they point out areas of concern and issues that may need further scrutiny. Therefore, it is important that the minutes be of sufficient detail to be useful to the Mayor and City Council members in their deliberations. Thank you."

MOTION BY Commission Bray, SECONDED BY Commission Short to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on March 18, 2015, and noting the statement from Commissioner Hamilton. The motion carried by the following vote.

Ayes 6 - Chairman Peters, Vice Chairman Hamilton, Commissioner Short, Commissioner Bray, Commissioner Kish, and Commissioner Molony

Absent 1 - Commissioner Barnes

5. PUBLIC COMMENTS

None.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS

8.1. [14-210-00007](#) REZONING TO AMEND THE PEBBLE CREEK PHASE II PLANNED AREA DEVELOPMENT FOR A SITE ON 9.11 ACRES AT THE SOUTHWEST CORNER OF PEBBLE CREEK PARKWAY & CLUBHOUSE DRIVE TO ALLOW AN ASSISTED LIVING FACILITY USE AND ESTABLISH DEVELOPMENT STANDARDS.

Commissioner Hamilton informed the Commission and Staff that she would be recusing herself from this case.

The applicant requested the item be continued to the May 20, 2015 Commission Meeting. Staff suggested that public comments should still be heard from the public that was in attendance for this public hearing. Chairman Peters opened the public hearing. No staff presentation was given. Public Comments are as follows:

Richard Sitch expressed concern with the entrance to Tuscan Falls and the additional traffic the facility would add to this location, as well as the golf carts that frequent the street as well. Mr. Sitch was concerned with the height of the structure, which he stated he heard that this was going to be a 3-story facility. Residents of the facility would be able to see into the yards of the property owners located near the facility. The last concern was the lighting of the building and the parking lot and having the lights shining into the yards

Alvin Anderson only concern was the traffic as well and the increase that would occur.

Jill Santy was concerned with the staff report recommended approval when the case had not been presented to the Planning Commission. Mrs. Santy requested that the Planning Commission take into consideration the property owners that are affected by the proposed facility. Mrs. Santy also feels that the 3-story building is not compatible with the neighborhood. The property owners will lose their privacy if a 3-story building is approved. Property values will decrease for the neighborhood. Mrs. Santy also expressed concern with the traffic at the entrance of Tuscany Falls. She also feels that there will be a visual impact on the area, the views would be gone, and that the facility would not be consistent with the top rated senior community.

Jerry Santy expressed concern over the noise, dirt and congestion during the construction of this facility. Mr. Santy was concerned with the traffic this facility will bring, the view will be obstructed (going to see apartment houses) the entrance and appearance will be ruined. Property values will decrease as well. Mr. Santy stated that there are 3 other assisted living facilities located within 3 miles of Pebble Creek and feels this is not the image Goodyear would want. He also feels that the facility is not compatible with the neighborhood.

Lori Miller expressed concern with the facility that will be built across the street from her home. Ms. Miller feels that this could cause a future sale of her property to not sell and devalue her property. The views of the sunset will be gone. Ms. Miller wanted the Commission to know that she took time off work and flew here to be at this meeting. Ms. Miller stated that she made the effort, but the developer did not. She felt that the 3 story height is too much. Her concern with the meeting being postponed to May is that the majority of the residents won't be here, which takes away the voice of the community. Ms. Miller requested that the meeting be continued to November of 2015. Ms. Miller also has a neighbor that would need a translator/interpreter and if the City or the developer would have someone available for her.

Commissioner Bray questioned staff if the comments be given to the developer as well? Katie Wilken, Planning Manager responded that yes the comments will be included in the minutes, which would be available at the next Planning Commission meeting.

Bernadine Helriegel stated that the traffic caused by the delivery trucks will not be good for the area. Ms. Helriegel expressed concern for the golf carts that travel this area. Ms. Helriegel stated that the incoming traffic and the visitors lane can be backed up to Pebble Creek Parkway. She also has a concern with the lights of the facility being on all night, and Pebble Creek has a restriction that lights are to be off at 10:00 pm. Ms. Helriegel also was concerned with the construction noise and dirt as well. Ms. Helriegel was in favor of moving the meeting to November.

Donald Kerr stated that the development does nothing to enhance the beauty of Pebble Creek and he feels that it's at the wrong location. Mr. Kerr feels that the waterfalls, lake, golf course add beauty and that the west side is beautiful and adding this Assisted Living Facility is not

good. He also expressed concern regarding the traffic around the fire station and traffic from the golf course. The privacy of the neighbors will be gone and this will affect this area for a long time to come. Mr. Kerr suggested that the facility be located near the RV Storage yard with a view of the White Tanks Mountains. Mr. Kerr stated that this should be kept out of the neighborhood and referred to the Assisted Living Facility as a per morgue building.

Jeffery Fisher stated that the property is too small for this facility and the facility could double in size in years to come. Mr. Fisher has concern for the impact on the security of a gated community when this facility is built. He also questioned why the meeting was postponed and that several meeting dates were identified in May (May 18th and 20th). Mr. Fisher stated that the quality of life needs to be protected.

Katie Wilken, Planning Manager, replied that the case has to be presented to the Planning and Zoning Commission first, which would be May 20, 2015. The stated City Council date of May 18th would be moved to the next available City Council Meeting after the May 20th Planning and Zoning Commission meeting.

Ms. Miller questioned if the meeting be moved to November. Ms. Miller stated that the residents need to voice their opinions and that there were over 200 people that attended the Citizen Review Meeting held at Pebble Creek.

Katie Wilken, stated that the commission could recommend that the meeting be moved to November. Staff could mention this to the developer Robson regarding moving the meeting to November. Ms. Wilken stated that the City did follow the procedure for notifications and the City's requirement is higher than the State. Staff sent out postcards, posted the property and a public notice appeared in the newspaper as well.

Katie Wilken stated that the staff report is only a recommendation, which is approved by the zoning, citizen review meetings, and that the Planning & Zoning Commission can add stipulations and recommendations. Commission Peters stated that staff can recommend approval and the Planning & Zoning Commission could vote is not to approve this request.

Ms. Santy questioned how many residents live near the area and what the majority of acreage needed to require a majority vote? Ms. Wilken stated that information would be available tomorrow. Ms. Santy questioned can the applicant cancel again at the last minute. Ms. Wilken replied that the applicant can postpone the item, but staff would be concerned if this was repeated again.

Ms. Wilken stated that all comments have to be submitted in writing to Christopher Flodin and herself. Ms. Santy questioned if the planning commission ever goes to the property to view the area. Ms. Wilken stated that property visits would have to meet the requirement for an open meeting law.

Chairman Peters reminded that the public hearing needs to stay on track and procedure. Chairman Peters questioned if there were any more comments from the public.

Commissioner Bray thanked the public for attending this meeting and was glad to see that they are vested in the community. Commissioner Bray stated that staff does a good job and the comments from the public tonight will reach the developer.

Chairman Peters closed the public hearing.

MOTION BY Commissioner Bray and SECONDED BY Commissioner Short to POSTPONE a Rezoning to Amend the PebbleCreek Phase II Planned Area Development for a site on 9.11 acres at the southwest corner of PebbleCreek Parkway and Clubhouse Drive to allow an assisted living facility use and establish development standards to the next schedule Planning and Zoning Commission Meeting on May 20, 2015. The motion carried by the following votes.

Ayes 5 - Chairman Peters, Commissioner Short, Commissioner Bray, Commissioner Kish, and Commissioner Molony

Absent 1 - Commissioner Barnes

Recused 1 - Vice Chairman Hamilton

8.2. [14-500-00006](#) **PRELIMINARY PLAT FOR PASEO PLACE PARCEL 1
SUBDIVIDING APPROXIMATELY 40 ACRES INTO 136
SINGLE-FAMILY LOTS AND 13 OPEN SPACE TRACTS
GENERALLY LOCATED AT THE NORTHWEST
CORNER OF YUMA ROAD AND 183RD AVENUE
ALIGNMENT IN AN R1-6, SINGLE FAMILY
RESIDENTIAL DISTRICT**

Christopher Flodin, Architectural Planner, presented the Staff Report for the Preliminary Plat for Paseo Place Parcel 1 subdividing approximately 40 acres into 136 single-family lots and 13 open space tracts generally located at the northwest corner of Yuma Road and 183rd Avenue alignment in an R1-6, Single Family Residential District. The applicant was available for questions from the Commission.

Commissioner Kish commented that the concept of the butterfly garden was very unique. Commissioner Kish questioned the water usage for this area and the type of use. Ms. Wilken stated the applicant would be required to utilize the ADWR planting list. Dawn Fortuna, Rick Engineering, stated that the Landscape Architect would comply with the City regulations.

MOTION BY Commissioner Bray and SECONDED BY Vice Chairman Hamilton to recommend APPROVAL of a request for a Preliminary Plat for Paseo Place Parcel 1 subdividing approximately 40 acres into 136 single-family lots and 13 open space tracts with the stipulation recommended in the Staff Report. The motion carried by the following votes.

Ayes 6 - Chairman Peters, Vice Chairman Hamilton, Commissioner Short, Commissioner Bray, Commissioner Kish, and Commissioner Molony

Absent 1 - Commissioner Barnes

8.3. [14-500-00007](#) PRELIMINARY PLAT FOR PASEO PLACE PARCEL 2 SUBDIVIDING APPROXIMATELY 78 ACRES INTO 214 SINGLE-FAMILY LOTS AND 26 OPEN SPACE TRACTS GENERALLY LOCATED AT THE SOUTHEAST CORNER OF YUMA ROAD AND 183RD AVENUE ALIGNMENT IN AN R1-6, SINGLE FAMILY RESIDENTIAL DISTRICT

Christopher Flodin, Architectural Planner, presented the Staff Report for the Preliminary Plat for Paseo Place Parcel 2 subdividing approximately 78 acres into 214 single-family lots and 26 open space tracts generally located at the northwest corner of Yuma Road and 183rd Avenue alignment in an R1-6, Single Family Residential District.

MOTION BY Vice Chairman Hamilton and SECONDED BY Commissioner Bray to recommend APPROVAL of the Preliminary Plat for Paseo Place Parcel 2 subdividing approximately 78 acres into 214 single-family lots and 26 open space tracts with the stipulations recommended in the Staff Report. The motion carried by the following votes.

Ayes 6 - Chairman Peters, Vice Chairman Hamilton, Commissioner Short, Commissioner Bray, Commissioner Kish, and Commissioner Molony

Absent 1 - Commissioner Barnes

8.4. [15-350-00001](#) SPECIAL USE PERMIT FOR THE INTERO MONTESSORI SCHOOL LOCATED AT VAN BUREN STREET AND SARIVAL AVENUE WITHIN THE CANYON TRAILS PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT

Alex Lestinsky, Planner I, made a presentation before the Commission with details on the site location, hours of operation, the recommendation and stipulations. The Special Use Permit is being requested to facilitate the development of Intero Montessori School on a portion of a 12.16 acre lot within the Canyon Trails Planned Area Development at the northwest corner of Van Buren Street and Sarival Avenue. The 19,000 square foot facility will provide education for up to 200 students ranging from 8 weeks old through grade 6. On-site parking will be provided with a total of 70 standard spaces and 12 ADA parking spaces. These additional parking spaces permit the drop-off format that the school has proposed. Parents are required to park and walk their child into the building, eliminating the need for a drop-off lane and reducing traffic rushes. The applicant, Jim Larson of Larson Associates Architects was available for questions from the Commissioners.

Vice Chairman Hamilton stated that she likes the concept of having the parents park and walk their children into the school.

Commissioner Bray stated were there any plans to improve Sarival Avenue as this school site during construction. Ms. Lestinsky stated that Sarival Avenue is part of the CIP Project. Ms. Wilken stated that the funding for the Sarival Avenue Improvement Project will be approved

with the next budget year, which would fund on July 1, 2015. Commissioner Bray would like the minutes to reflect that the improvements on Sarival Avenue are an important part of this project, and the safety of the children due to the increased traffic from this project.

MOTION BY Vice Chairman Hamilton and SECONDED BY Commissioner Kish to recommend APPROVAL of a request for a Special Use Permit to allow for the Intero Montessori School located at Van Buren Street and Sarival Avenue within the Canyon Trails Planned Area Development (PAD) Zoning District with stipulations recommended in the Staff Report. The motion carried by the following votes.

Ayes 6 - Chairman Peters, Vice Chairman Hamilton, Commissioner Short, Commissioner Bray, Commissioner Kish, and Commissioner Molony

Absent 1 - Commissioner Barnes

9. STAFF COMMUNICATIONS

Katie Wilken, Planning Manager, stated that due to the first case discussion taking longer. the discussion regarding having two Planning and Zoning Commission Meetings per month will take place on another meeting. Mrs. Wilken stated that the Development Services Department has a new Director starting on April 20, 2015. Christopher Baker, from Alabama has experience in the private sector and government as well and we are hoping that he will be at the May Planning and Zoning Commission Meeting.

10. ADJOURNMENT

There being no further business to discuss, Chairman Peters adjourned the meeting at 7:08 p.m.

Respectfully Submitted by:

 Bobbie Fulbright, Development Services Administrator

 Ryan Peters, Chairman

Date: _____