



## City of Goodyear

### Meeting Minutes

#### Planning & Zoning Commission

Meeting Location:  
Goodyear Justice Center  
14455 W. Van Buren St.,  
Suite B101  
Goodyear, AZ 85338

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Wednesday, February 19, 2014

6:00 PM

Goodyear Justice Center

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#### 1 CALL TO ORDER

Chairman Schlosser called the meeting to order at 6:10 p.m.

#### 2. PLEDGE OF ALLEGIANCE

#### 3. ROLL CALL

**Present** 5 - Chairman Lucas Schlosser, Vice Chairman Ryan Peters, Commissioner Vickie Hamilton, Commissioner Leslie Miller, and Commissioner Cathleen Short

**Absent** 2 - Commissioner Patrick Bray, and Commissioner Randy Barnes

#### 4. MINUTES

**P&Z MIN 04-2014** Approve draft minutes of the Planning and Zoning Commission Meeting held on January 15, 2014.

**MOTION BY Vice Chairman Peters, SECONDED BY Commissioner Miller, to APPROVE draft minutes of the Planning and Zoning Commission meeting held on January 15, 2014. The motion carried by the following vote:**

**Ayes** 5 - Chairman Schlosser, Vice Chairman Peters, Commissioner Hamilton, Commissioner Miller, and Commissioner Short

#### 5. PUBLIC COMMENTS

None.

#### 6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

#### 7. OLD BUSINESS

None.

#### 8. NEW BUSINESS

#### 8.1 13-210-00006 REZONING TO AMEND THE PALM VALLEY PHASE V PLANNED

**AREA DEVELOPMENT TO CHANGE THE LAND USE  
DESIGNATION ON 9.70 ACRES AT THE NORTHWEST CORNER OF  
INDIAN SCHOOL ROAD AND FALCON DRIVE FROM MIXED USE  
COMMERCIAL TO HIGH DENSITY RESIDENTIAL**  
**RECOMMENDATION:**

- A. Conduct a public hearing to consider a rezoning request to amend the Palm Valley Phase V Planned Area Development (PAD) to change the land use designation on 9.70 acres at the northwest corner of Indian School Road and Falcon Drive from MUC - Mixed Use Commercial to UR/H - High Density Residential (12-18 du/ac).
  1. Open public hearing
  2. Staff presentation
  3. Receive public comment
  4. Close public hearing
- B. Approve a rezoning (Case No. 13-210-00006) to amend the Palm Valley Phase V Planned Area Development (PAD) to change the land use designation on 9.70 acres at the northwest corner of Indian School Road and Falcon Drive from MUC - Mixed Use Commercial to UR/H - High Density Residential (12-18 du/ac), subject to stipulations.

Chairman Schlosser opened the public hearing.

Joe Schmitz, Planning Manager gave the staff presentation. Mr. Schmitz stated that this is a request for an amendment to the Palm Valley Phase V Planned Area Development (PAD) to change the land use designation on a vacant 9.70-acre parcel at the northwest corner of Indian School Road and Falcon Drive. The current zoning designation for this parcel within the Palm Valley Phase V PAD is MUC - Mixed Use Commercial, subject to compliance with the General Commercial (C-2) zoning district criteria. This zoning amendment would change the designated land use for the property to UR/H - High Density Residential (12-18 du/ac), subject to compliance with the Multi-family (MF-18) zoning district criteria and development standards, as amended by the Avilla Planned Area Development (PAD) Amendment, to allow development of Avilla Homes containing approximately 125 attached or detached single-story residential dwellings for lease at a density of 12.9 units per acre..

Mr. Schmitz stated that staff has received several letters, e-mails and telephone calls from members of the community that were not in favor of this rezoning case.

Mr. Schmitz summarized the neighborhood meeting and the concerns of the community. The residents had questions on the nature of the proposed development, and voiced concerns regarding traffic impacts, school impacts, parking adequacy, density of development, and the architecture of the residential units. Some residents in attendance expressed a preference for commercial development of the property under the existing zoning rather than the proposed multi-family zoning and development contained in this PAD amendment.

Commissioner Miller asked staff if they knew what the current vacancy rates were for commercial and apartments in Goodyear. Sheri Wakefield-Saenz, Development Services

Director, stated that the office vacancy rate is 10% today, which is consistent with the valley wide numbers, and that the apartment occupancy rate is currently 90% and pushing the top end of the lease rate.

Mike Curley, Earl, Curley & Lagarde, was present representing the applicant. Mr. Curley stated that the applicant has been in the zoning process for approximately 10 months, and staff has reviewed all aspects of the development, including landscaping, architecture and traffic. The neighborhood meeting did not have a lot of attendance, but the applicant has reached out to the neighbors to respond to their concerns. Mr. Curley stated that the applicant has several years of experience in the development community and has the background of building a quality product.

Mr. Curley stated that this gated development will feature one, two and three bedroom single story homes ranging from 634 sf to 1,244 sf. The two and three bedroom homes are fully detached, while the one bedroom homes are attached in a duplex style. The homes are clustered around pedestrian courtyards to create a sense of place within the greater context of the neighborhood. Mr. Curley also stated that although Avilla Homes is a leased home neighborhood that is professionally managed, the project is similar to a traditional single family home subdivision in terms of the resident having private living space with a detached, single story building that is accompanied by a private back yard area for their personal enjoyment.

Mr. Curley stated that a traffic engineer was hired to conduct a traffic analysis of the proposed development and to assess required parking. The applicant's plans meet City parking requirements, and the existing commercial zoning of the property would generate far more traffic than the proposed 125 residential units. Mr. Curley also stated that there are number of vacant commercial properties located in this area as well as Goodyear as a whole.

Chairman Schlosser asked if a property management company would be taking care of the property and questioned if this community would be for Section 8 Housing. Mr. Curley replied that this is not for Section 8 housing, and is intended as a higher rent/lease neighborhood. Commissioner Miller questioned the timeline of the project if approved, and Mr. Curley replied that the development would start immediately.

Dustin Jones, Attorney at Ridenour, Hinton and Lewis, was present representing the owner of the multi-family property on the east side of Falcon Drive. Mr. Jones stated that he was a former Commissioner and was a member when the Palm Valley master plan was approved. Representatives from Suncor were the developers at that time, and if you compare the aerial photo to the master plan you will see that development has followed the plan and they will look same. He and his client are here to express that they are not in favor of proposed multi-family zoning. Mr. Jones stated that Staff needs to review the development standards and how they have been relaxed in this proposal. The building separation standards have been relaxed with a proposed 10-foot separation, and the courtyard has been allowed to have smaller setbacks.

Michael Treger, owner of the property on the east side of Falcon Drive, stated that he has owned the property for years and has been working on getting utilities to the property for the development of the Harmony Apartments.

The following individuals were in attendance and spoke in opposition to this case, citing concerns regarding traffic, school overcrowding, the number of rental units in the area, reduction in property values, misrepresentation of the development as a 55+ community, parking, and property management: Tammy Brewer, Raymond Banks, Robert Tate, Denise McCallum, Joel Ranus, Vicky Meyers, Terri Neil, Kelly Bohn, Shon Reed, Rebekah Peterson, Harold Norris, Rosa Grayson, and Edward A. Veloz.

Ms. Tracy Turner stated that she supports the development but she also doesn't want commercial development either. Commercial development can bring unwanted noise to the area at night such as street sweepers. Ms. Turner questioned what type of business will come into this area, and stated that traffic is a huge problem in the area.

Mr. Curley, representing the applicant, responded to the issues raised by the residents who spoke in opposition. Mr. Curley stated that they have extensively evaluated the projected traffic from the development and that the conclusions of these studies was that there would be no negative traffic impact to the area, and that commercial development of the property would generate significant more traffic than this proposal.

Commissioner Miller asked why the development has driveways only on Falcon Drive and not Indian School. Mr. Curley stated that at the beginning of their proposal 10 months ago they had considered access onto Indian School, but that the City Engineer had an issue with that access and therefore they moved the access to Falcon Drive. Commissioner Short asked staff if we have any data regarding the impact of residential home values, and Mr. Schmitz replied that they did not at this time.

Commissioner Short expressed concern over the traffic and the overcrowding at the school, and noted that those are the issues that we need to be thinking about as a City and community. Mr. Short commented that whether the property develops as commercial or rental residential, there will still be a traffic problem.

Commissioner Miller asked the attendees in the audience if they would prefer commercial over the current proposal. Ninety percent of the representatives of the community that were present indicated that they were in favor of commercial.

Vice Chairman Peters stated that he supports this project.

There being no further public comment, Chairman Schlosser closed the public hearing at 8:15 p.m.

**MOTION BY Vice Chairman Peters , SECONDED BY Commissioner Short, to  
APPROVE Case 13-201-00006, subject to the stipulations recommended by staff. The  
motion carried by the following vote:**

**Ayes**      4 - Chairman Schlosser, Vice Chairman Peters, Commissioner Hamilton, and  
Commissioner Short

**Nayes**     1 - Commissioner Miller

**8.2      52                    OPEN MEETING LAW AND ETHICS TRAINING**

Maureen Scott, City Clerk was available for Open Meeting Law Training. This training is required by the City to be conducted annually. The Ethics Handbook is available on the City's website. The Open Meeting Law is a State Statute, which is why the training was being conducted.

**8.3      12                    GENERAL PLAN REVIEW - MOCK ZONING CASES**

*This is a mock zoning case. This is not an actual request and does not reflect an actual request for rezoning. The purpose of this case is to conduct a test run of using the draft Goodyear 2025 General Plan in the development review process.*

Due to the zoning case running over the Planning Commission voted to continue this presentation to the next Planning and Zoning Commission meeting to be held on March 19, 2014.

**MOTION BY Commission Miller, SECONDED BY Commissioner Short, to CONTINUE the presentation regarding the General Plan Review - Mock Zoning Cases until the next Planning and Zoning Commission Meeting to be held on March 19, 2014. The motion carried by the following vote:**

**Ayes      5 -** Chairman Schlosser, Vice Chairman Peters, Commissioner Hamilton, Commissioner Miller, and Commissioner Short

**8.4      53                    DESIGN GUIDELINES MANUAL UPDATE - STATUS  
(INFORMATION ONLY)**

Hector Tapia, Deputy Director of Development Services, was available to discuss the progress of the Design Guidelines.

**9.        STAFF COMMUNICATIONS**

None.

**10.      ADJOURNMENT**

There being no further business to discuss, Chairman Schlosser adjourned the meeting at 8:23 p.m.

Respectfully Submitted by:

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Bobbie Fulbright, Development Services  
Administrator

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Lucas Schlosser, Chairman

Date: \_\_\_\_\_