



City of Goodyear

Meeting Minutes

City Council Regular Meeting

Mayor Georgia Lord
Vice Mayor Sheri Lauritano
Councilmember Joanne Osborne
Councilmember Joe Pizzillo
Councilmember Wally Campbell
Councilmember Bill Stipp
Councilmember Sharolyn Hohman

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

Monday, January 25, 2016

6:00 PM

Goodyear Justice Center

1. **CALL TO ORDER**

Mayor Lord called the Regular Meeting to order at 6:07 p.m.

2. **PLEDGE OF ALLEGIANCE & INVOCATION BY VICE MAYOR LAURITANO**

3. **ROLL CALL**

Council Present 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman
Council Absent 1 - Councilmember Osborne

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Stipp, to EXCUSE Councilmember Osborne from the meeting. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

Staff Present: City Manager Brian Dalke, City Attorney Roric Massey and City Clerk Maureen Scott

4. **COMMUNICATIONS**

None.

5. **CITIZENS COMMENTS/APPEARANCES FROM THE FLOOR**

None.

6. **CONSENT**

MOTION BY Councilmember Hohman, SECONDED BY Vice Mayor Lauritano, to APPROVE Consent Agenda Items 6.1-6.4. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

- 6.1 [MINUTES](#) Approve draft minutes from a Regular Meeting held on January 11, 2016.
[04-2016](#)
- 6.2 [16-5740](#) **DECEMBER 2015 BUDGET TRANSFER**
RECOMMENDATION:
Approve the December 2015 budget transfer.
- 6.3 [16-5741](#) **FINAL PLAT FOR ESTRELLA MOUNTAIN RANCH PARCEL 9.8**
RECOMMENDATION:
Approve the final plat for Estrella Mountain Ranch Parcel 9.8, subdividing 38.15 acres into 106 single family residential lots and 13 open space, landscape, and drainage tracts, generally located on the north side of West Calistoga Drive, west of South 184th Avenue, within the Estrella Mountain Ranch Villages VII and IX Planned Area Development (PAD), subject to stipulations.
- 6.4 [16-5742](#) **MAP OF DEDICATION FOR A PORTION OF WEST CALISTOGA DRIVE WITHIN ESTRELLA MOUNTAIN RANCH**
RECOMMENDATION:
Approve the map of dedication (MOD) for a portion of West Calistoga Drive adjacent to Parcel 9.8 within Estrella Mountain Ranch (EMR).
7. **BUSINESS**
- 7.1 [16-5721](#) **PUBLIC HEARING TO CONSIDER A USE PERMIT AMENDMENT TO REMOVE A STIPULATION PROHIBITING VEHICULAR ACCESS ONTO NORTH 161ST AVENUE**

Mayor Lord opened the public hearing at 6:11 p.m.

Planner III Steve Careccia stated this request is to amend the Use Permit for the Compass Church to remove the stipulation prohibiting access onto 161st Avenue. The Church would like to utilize the existing driveway onto 161st Avenue for non-emergency purposes. However, removal of the stipulation prohibiting access would be required for this to occur. The initial Use Permit was approved in 1999, and a subsequent Use Permit was approved in 2003 to add a day care. A site plan was approved in July 2004, and the church was built thereafter. In March 2015, an additional site plan amendment was submitted for an additional 5,000 square feet for the church. To the east is a shared driveway between Arizona Public Service (APS) and the church, and Wildflower Ranch is located south of Van Buren Street. To the west is West Valley Christian School, and next to that location is a parcel zoned commercial/office. Typical

use for commercial/office are medical offices, business offices, or private schools. To the north of Compass Church is Wade Acres community, which is a larger lot single family residential community which is also zoned agricultural urban. Most residents in Wade Acres have horses and other animals. Wade Acres shares 161st Avenue with the church, and the neighborhood has come out in opposition to the application.

The site plan was reviewed and includes future development areas and pictures of the street and emergency driveway. Careccia said the applicant has stated that they have only one way in and out of their parking lot and that the parking lot is very congested in between services. Members park along 161st Avenue and climb over the wall to the parking lot to enter into the church. They want to open up the emergency driveway to allow two ways to enter and exit the area. This would also alleviate some of the parking along 161st Avenue. The applicant was made aware of the 2003 stipulation which is that the driveway is to be used only for emergency purposes, and if changes to the stipulation are requested, the change would need to be approved by Council.

There have been several public meetings to date, meetings with the applicant, and two citizen review meetings. There have also been two hearings in front of the Planning and Zoning Commission. Residents have voiced concerns about having only one access into their neighborhood, which is through a dead-end street, and with increased local traffic, in addition to increased church traffic, it would impact them. There is also concern about emergency vehicles accessing the street when there is parking on both sides of the street. Residents also said there is not enough room in the dedicated left turn lane, vehicles stick out into the travel lane while waiting to make the turn, and if the emergency driveway is opened, it will make the situation worse.

Staff has reviewed the concerns and has come up with a few resolutions. One resolution is to add a No Outlet sign to the street sign at 161st Avenue and Van Buren Street, which has already been added. The second resolution, which will eventually be done, is to add No Street Parking signs to the entire length of the east side of 161st Avenue, given the width is less than a standard street width. The third resolution is to re-stripe Van Buren Street instead of the dedicated left lanes into Wildflower Drive and into 161st Avenue, to make it a center turn lane. Staff estimated the cost to re-stripe and asked the applicant to share in the cost, which they agreed. The applicant explored using the shared driveway with APS, meeting county dust control requirements, and what the minimum cost would be to construct some kind of drive aisle over and then to connect to the driveway. The applicant informed staff that it could be done, however, the cost was prohibitive and is something they could not afford at this time. The applicant will be requesting tonight that the emergency driveway opening be allowed. The residents of Wade Acres remain opposed to any driveway opening on to 161st Avenue. Careccia stated that at this time there is no compromise position that can be presented to Council.

As noted in the staff report, there is a split recommendation for Council. Staff finds that the proposed Use Permit amendment will not be a material detriment to surrounding properties and will be reasonably compatible with uses allowed in the surrounding area. The Planning and Zoning Commission considered this item at its regular meeting of December 16, 2015, and the

Commission recommendation is denial of the Use Permit amendment.

Mayor Lord recessed the meeting at 6:25 p.m. so staff could hook up electronic equipment for the use by the applicant and the residents.

Mayor Lord resumed the meeting and public hearing at 6:34 p.m.

Careccia introduced Mark Phillips from CCBG Architects and said representatives from Compass Church will also speak.

Mark Phillips indicated he is working with the church on current and future plans and reviewed the site plan, traffic flow, and circulation around the property. They have been discussing that opening up the driveway to the northwest will help with both on-site and off-site efficiency and safety. Opening the drive will encourage people in the north part of the parking lot to utilize the exit on to 161st Avenue. Because it is a no outlet to the north, those exiting in this area have no need to go to the right and will exit on to Van Buren Street. It will also simplify the circulation on site, increase safety, and eliminate parking on 161st Avenue. Phillips shared a site plan which shows future development, however, this is not final and has not been shared yet with the city.

Litchfield Park resident Rob Antoniak spoke on behalf of Compass Church. The church asked him for advice, having been involved in past processes involving the project. Antoniak gave a brief background and pointed out past negotiations between the applicant, staff, and residents. He showed a map that indicated where church members live, a large part in the Goodyear area, as well as surrounding areas. Church members that are Goodyear residents and invest in the church were polled to see if they support removal of the stipulation currently preventing Compass Church from accessing the driveway on 161st Avenue and believe that using this driveway for church services and events will make the church parking lot safer and alleviate traffic congestion in the area. The driveway will be used by 100 to 150 vehicles two-to-three times on Sunday mornings, and he believes this will make it a safer environment.

Compass Church Pastor Tim Jacob of Litchfield Park indicated this item was brought before the city because of church growth and that they are currently involved in a construction project. Part of the challenge is that some of the neighbors have become members of the congregation. He said that until this process, he has never heard a complaint about anything they were doing, and thought this would be an easy process. It is their desire to continue to be good neighbors not only with Wade Acres, but the entire community.

Public Comments:

Goodyear resident Vernon K. Rodgers spoke opposing the project. He indicated past complaints were not addressed because they wanted to be good neighbors. They have complaints such as noise, road blocking, parking in the fire lane, and safety issues when people who are parked on the street open car doors. He is concerned about the safety as he pulls his horse carts up and down the street and transports horses. He feels that when the driveway is opened, the church will use it whenever they want, not just Sundays, school or day care. Residents from other neighborhoods walk down the street to look at the horses, and he feels it

will no longer be safe.

Goodyear resident Robert Robinson addressed Van Buren Street where they want to get rid of the turn lanes. He said a comment made by a city staff member during a meeting was that there hasn't been an accident there in eight years. This means that it's working, not that it should be changed. Safety is the biggest key as children ride their bikes in the street. Another safety concern is unaccompanied minors at the church, in the back of the parking lot. He has witnessed an incident where someone parked their car on the street and opened the door without looking to see if it was safe, and just walked in to the church area. The church has been told not to park on both sides, and they continue to park there. He doesn't understand why the leadership does not take the initiative, as a good neighbor, to address this.

Goodyear resident Kitty Robinson submitted two solutions for Council to consider that were presented by the residents to the church, to Planning and Zoning, and to city staff. The first solution is to use the APS driveway as an entrance and exit to the parking lot. City engineers researched this proposal as the initial thought was that the church would have to pay for the parking lot and make upgrades. The church was told that by using appropriate dust control measures could expand their parking lot to the vacant lot east of the building and use the APS driveway. This is a cost to the church and is the reason the church does not want this solution. She feels the church can overcome the cost by redoing budgets or prohibiting some expenditures to the next few years, without impeding on the neighborhood quality of life and safety. It also elevates the traffic bottleneck. The second solution presented to the church was to hire police for traffic control until they get their plans in order. This would assist with the traffic control exiting the church during regular service times and during special events. There are quite a few special events that they would like to see some control measures for. Skyway Church of the Valley does this with great success. Traffic control will reduce issues with safety, vehicular, and pedestrian traffic. Both options offer solutions to the neighborhood and keeping the church traffic off of 161st Avenue, as well as a solution to the church by allowing for another entry and exit point. Their main issue is safety and their quality of life.

Goodyear resident Roy Sainz said that poor planning on the part of Compass Church should not constitute an impact on their lifestyle. Their poor planning is due simply because they allocated funds for the expansion without addressing the existing issues of their parking lot. They may say that they have ingress/egress issues to their parking lot, but this is a fallacy. They've had permission to use the APS driveway for a number of years. The city of Goodyear requires that they put down gravel or some type of material to conform with pollution control, instead they want to open up a driveway on to 161st Avenue impacting his life. Why wasn't money budgeted for this purpose if they have money to add on at a 60 percent rate? Why do we have to sit and wait for church traffic to clear? Are they willing to use the APS driveway and hire police officers to direct traffic, much like the Skyway Church does? His heavy duty equipment trailer entering or leaving 161st Avenue during church services or any of their events would be a safety concern for him. Children and adults must become more aware of the increase in traffic. An older gentleman with Alzheimer's must watch his P's and Q's as he takes his daily walk down 161st Avenue. What all this says to him is that we have a business with smoke and mirrors, and manipulation. A business that does not have a solid plan for growth. If you don't get your way with Planning and Zoning, go to the City Council. Why have a Planning

and Zoning Commission?

Goodyear resident Delphine Sainz reiterated what all her neighbors said. She also stated she is concerned for her grandchild, who is five years old and is learning to ride her bicycle, and for other children playing on the street, and the extra traffic that will be making the turn.

Goodyear resident Phyllis Pearson commented that her home was built in the 1970's and that the neighborhood was produced as an agricultural, horse property. It seems that people take issue with how many of them that are being effected, which is not clear. There are presently 23 homes of which many are multi-family units, with the potential of 26. Right now there are 75 normal vehicles coming and going several times a day. Add to that horse trailers, RV's, and other agricultural equipment, not including deliveries and pick up of standard services for residential areas. This makes this quite a bit of traffic. The traffic coming out of the church making the left turn going towards Van Buren Street crosses the ingress and egress of their entire neighborhood. You are talking about 450 vehicles on Sundays but there are a lot more events than just on Sunday. No one from the neighborhood wants to limit the activities of the church in any way, but this is not just about Sundays. She brought up the issue about emergency services because of the death that had occurred in the neighborhood the week before Halloween. The church had an event, which she was told was not their event, but that they allowed the event to take place on their property, and the people congregated in the roadway. The issue is not just about the parking on one side of the street, its about making sure there is always access in and out of their homes, and that emergency vehicles can get there in time. That is called being a good neighbor.

Goodyear resident Kelly Cesar said she is on the corner of 161st Avenue and Wade Lane. She sympathizes with the church, because the neighborhood also has one ingress and egress. She has safety concerns for her children, family, and neighbors because of the increase of traffic. The street is not set up to handle increased traffic. The survey that was mentioned was posted on Facebook that anyone could access and answer, so she questions the numbers that were presented. She concurs with the solutions brought up by Kitty Robinson. She hopes that commerical businesses have a plan for growth prior to expanding, just as the city does. She feels that commercial businesses should not be allowed to build without some plan, especially when impacting tax-paying residents. The church has known about the parking issue since 2003 and hoped that they would have, especially since they are planning to add to their church base, considered the parking issue at that point and not just assumed that they would have access at this access point.

Goodyear resident Lorenzo Castro said the family loves to go for bike rides and, since there are no sidewalks, building the driveway would put him and his family in danger and will make the neighborhood unsafe for walking and riding. Council should consider safety the number one priority for the neighborhood, and for his family. He lives in a calm neighborhood, and the driveway would disturb the peace.

Goodyear resident Fernando Castro said that he opposes the driveway. The main priority is the safety of the residents who walk and ride in the street. This is not a typical neighborhood. It is a low-level acre-lot rural neighborhood with narrow streets and no sidewalks. They enjoy

walking, bike riding, and horse riding. Opening the driveway will only make it dangerous and unsafe for residents and pedestrians. This is an accident waiting to happen. He agrees with the solutions that some of his neighbors said. Don't put their lives in danger due to their poor planning and convenience.

Goodyear resident Leticia Castro summed up the church decision in one word: convenience. Everything they have pushed for so far is for their convenience because, as they said, it is reasonable and cost effective. For the neighbors, the number one reason is safety for the children, elders, pets, the church members, and guests. 19 of the 22 homes oppose this, as well as one household that is a member of the church. There is no reason to take away parking on 161st Avenue because people are parking on the street for efficiency. They don't want to wait to exit the parking lot to get safely on to Van Buren Street. The Planning and Zoning Commission has already denied their request. The church has advertised in a video and to community members and West Valley Christian Church, that this has been approved. She asked Council to do the right thing. Get answers for them to the many unanswered questions they still have. The best solution is for the neighbors to work with the church for transparency on their behalf, to be honest with them so they can work on a solution. She wants to feel safe in her community. She would not ask the church to use their parking lot or their field if she has company and is asking the church to take that into account when they are parking on 161st Avenue. The neighbors want to work with the church for a positive solution.

Goodyear resident Lucy Castro said she likes to roller skate and does not want to get hit by a car trying to get out of the parking lot that might not see her.

California resident Eva McColm is a frequent visitor of a resident of this street and is the wife of a retired fire chief. Her concern is for safety. She has experienced that when cars are parked on both sides of the street, even a regular car cannot get past. She also said nothing has been said about the church occupancy and the growth that is planned. How many parking spaces are there for the occupancy number in the building? If there is adequate parking spaces, then they should not have to park on the street. Take into account safety and fire access. With the growth planned, she is wondering if the church should stay there.

Goodyear resident Joan Usher indicated her and her husband are equine professionals and a christian family with two daughters, ages 10 and 13, who attend West Valley Christian School. They support church activity, and they have safety concerns with what is being proposed. Being in the equine industry, they planned where they wanted to live. They liked the churches in the area and the fact that the property is horse property. Their only access is their driveway, and they have a very large horse trailer whose length is larger than the width of the street. Her concern is for human life first, and doesn't feel that emergency vehicles will have access to the residents. Also, when she needs to go and come from her residence with her trailer of horses and her children, she will not be able to access the road. Because of the activity that goes on in the church after hours with no adults present, she does not allow her daughters to play on the street.

Goodyear resident Lupe Ramirez said she has lived at this address for 29 years. They have opposed the request since 2003, and have supported the 2003 User Permit stipulation that the

driveway should be for fire department access only, and that the applicant should follow through and work out an agreement with APS. After Council heard residents concerns in 2003, they denied access to 161st Avenue. The applicant is asking Council to decide on the same issue tonight, with the same concerns. The conditions that applied in 2003 have been magnified in 2016. The applicant is expanding their main building by approximately 4,700 square feet, and the traffic report predicts the traffic in and traffic out will increase by more than 200 percent during Sunday events. The applicant indicated during a Planning and Zoning meeting that the APS driveway was too expensive, and that they still want to have commercial access on to 161st Avenue. The request was denied. The applicant has had over 12 years to implement the APS driveway access. The current building expansion is valued at over \$720,000, and they should have been able to include the APS driveway connection into their plan, but have not done so. The applicant has spent money on this application, a traffic report, and will split the cost with the city to re-stripe Van Buren Street. Re-stripping Van Buren Street is a new concern to the residents and drivers for safety reasons. All this is due to the applicants refusal to connect to the APS driveway as stipulated by Council.

There being no further public comments, Mayor Lord closed the public hearing at 7:20 p.m.

Council Discussion

- **If there is no parking on one side of street how, would this effect emergency access?** Fire Chief Paul Luizzi said closing off parking on one side of the street would allow the Fire Department safe passage to move apparatus down the street. He also said they have worked with Engineering to make sure they would have an appropriate amount of access for any type of call. Engineering Director Rebecca Zook indicated that there is not restricted parking on either side of the street today. She indicated the most appropriate place to restrict parking is on the east side of the street for the entire length of the street.
- **If we are looking to limit the parking, request staff look at placing no parking restrictions on Wade Lane as well.** Luizzi indicated they will work with Engineering to ensure safe passage of the emergency vehicles.
- **If there is a special event, does the applicant need to stay on the property?** City Clerk Maureen Scott indicated that they are required to stay on the property.
- **How is it determined when a safety officer is required?** Police Chief Jerry Geier indicated it is up to the business to determine when security or traffic control is needed.
- **There are two entrances and exits at Skyway Church, and they chose to have traffic control officers.**
- **Is there nothing that gives the Police Department or the city the authority to require a business to have a safety officer?** Geier indicated that if something is to a scale that creates a nuisance or a safety issue, that the police chief can require security.
- **What is the cost for police officers?** The fee is \$45 per hour, with a four hour minimum. Geier indicated an event such as this could have one officer assigned.
- **Would like to see what the new expansion looks like and how it is affecting the parking lot and the APS driveway use. What is the number of parking spaces for the expansion? How are people going to get in and out of the area?** Zook indicated they requested the business to contact the County Environmental Services Department to find out what the dust control requirements are and the cost for those requirements. She is most concerned about

clearing the right-of-way as quickly as possible and not about how long it takes for people to exit the site.

- **Are there enough parking spaces for the congregation as it stands now?** Careccia indicated that there are currently enough parking spaces, and they have a surplus with the expansion.
- **What is the time frame of the church expansion?** Pastor Jacobs indicated expansion is for children's classes and student ministry classes, and they don't have a timeline for this expansion; however, part of the master plan is to pave the parking lot. They don't want to spend money now and then have to tear that up for the future expansion. He said expansion is at least three or four years out.
- **Do people leave from the front entrance of the church?** Phillips said the parking capacity is 170, with people coming in and out at two points.
- **Do you have people entering and exiting from the same access?** People do enter and exit from the same access; but if it was recommended by a traffic engineer or city staff to provide directional traffic, they would look at that.
- **Residents have been opposed to the use of this exit. Were they opposed to the church locating there?** Jacobs said the residents did not oppose the church locating here. They have had a number of Halloween events recently and received the required permit for the last event. He was surprised to hear that events such as Halloween parties lasted into the evening and said that events end at 8 p.m. as the special event permit indicated. Student ministries have gone on later, but not events such as the Halloween event. Jacobs indicated they are looking at how to prevent issues going forward.
- **Was there a traffic study done?** Zook indicated there was a study done as a part of the special use. It showed all of the ingress/egress points on to public right-of-way; it studied the new access point and the number of cars projected that would exit out of 161st Avenue and on to Van Buren Street, as well as the split that was anticipated. It looked at traffic on Van Buren Street. It looked at how traffic impacts with the Wildflower access point to the south; it studied the entire area and then projected the delay and level of service you would achieve. The study met all conditions and was intended to study what will happen. City Engineer Luke Albert indicated the report looked at exiting and expanding conditions with increased traffic volume.
- **Concerned about the amount of increased traffic on 161st Avenue and impact on maintenance and repairs that might have to be done before schedule.** Zook said deterioration can be quicker.
- **Why did we agree to this stipulation in 2003 if we knew there would be expansion later?** Antoniak indicated that at the time the use was lower and that use has increased since.
- **We have to solve this problem. There are two plats ready for development, one that can be commercial. A compromise needs to be made that will be helpful to growth and to the neighborhood.**
- **Is east the only way to go for expansion?** Jacobs indicated yes.
- **Would support a right-turn in only from Van Buren Street, and have the church figure out the parking lot traffic pattern.**
- **Suggests that we look at opening the traffic up to Portland Street.**
- **Drove the area and was behind a utility truck, and noticed the truck had difficulty because of the parking on both sides of the street. How many parking spaces are in the parking lot versus in the in/out area in the front of the lot?** Phillips indicated approximately

half.

- **How far apart is the entrance to 161st Avenue?** There is approximately 150 feet between the two.

- **No one is happy with the way it is now, and it is not working. Is there a way to limit the use during certain dates and times?** Jacobs indicated use would be on Sunday morning from approximately 8:30 until 11:30. They are looking at possibly adding a Saturday night service and they have certain events. Sometimes during the week there are events such as student ministries, but the volume is less.

- **Can there be signs saying 'residential parking only'? If the church gets the driveway, then members cannot park on the streets. If additional parking is needed, then the church must treat the unpaved lots so that members can park.** Zook said they were not aware of parking on both sides of the street. They are going to install a No Outlet sign to minimize traffic. She does not know if 'residential parking only' can be permitted but will check into this.

- **Is this zoned for live stock?** This is a residential neighborhood that is zoned agricultural. Feels the church should be able to use the emergency exit to get people out after Sunday services. Agrees with the neighborhood that the church should put their asset management aside to build a road.

- **Is the area located at 161st Avenue and Van Buren Street zoned commercial?** The property is zoned commercial/office and can be used for a professional business such as a medical office; a special use would allow private schools.

- **What is the upside/downside of a traffic circulation of right-turn only access versus coming in and out of two different entries?** Was looking more at coming in the main entrance and exiting out the northwest and making a left out, and limiting it to a left-out only. Thinks this is most advantageous.

- **Feels the traffic flow should be contained in the parking lot and exit on to Van Buren Street. The right and left out of this area can be temporarily made into two rights and two lefts. This would avoid the back up on to 161st Avenue.** One stipulation can be to place a restriction from 9 a.m. to 12 p.m. on Sunday mornings and that it is a right-turn only. This is just one opportunity that might be available.

City Manager Brian Dalke indicated the city is going to post no parking signs on the east side of 161st Avenue for public safety and to allow emergency vehicle access. Staff will also look at Wade Lane as well.

Zook indicated that the applicant has stated they are not interested in doing additional traffic studies beyond what is required at this time. Mr. Antoniak requested and received clarification that Council is requesting them to work out timetables, ingress and egress options, and parking alleviation. Zook indicated she will facilitate the meetings.

MOTION BY Councilmember Stipp, SECONDED BY Vice Mayor Lauritano, to CONTINUE the item to a future date to give the applicant, residents, and staff an opportunity to find a solution. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

Mayor Lord recessed the meeting at 8:37 p.m.

Mayor Lord reconvened the meeting at 8:50 p.m.

7.2 [16-5738](#) **PUBLIC HEARING TO CONSIDER APPROVING A SPECIAL USE TO ALLOW THE INSTALLATION OF A VERIZON WIRELESS COMMUNICATION FACILITY MONOPALM AT 2501 N. PEBBLECREEK PARKWAY**

Mayor Lord opened the public hearing at 8:50 p.m.

Planner II Alex Letinsky presented. The request is for a Special Use to allow the installation of a proposed Verizon Wireless Communication Facility (WCF) to include a 55-foot tall monopalm, antennas, and support equipment on a 0.68-acre site. Staff finds the proposed request will be compatible with the surrounding area, will not be a detriment to surrounding properties or persons, and will be in conformance with the General Plan. The Planning and Zoning Commission moved to recommend approval with a vote 5 to 0 at their December 16, 2015 meeting.

There being no public comments, Mayor Lord closed the public hearing at 8:53 p.m.

Council Discussion:

- **Is this site where a restaurant was planned?** Letinsky said the KFC restaurant was originally planned for this site.

- **Do they still own the property?** No

- **Has there been any opposition?** No

MOTION BY Councilmember Pizzillo, SECONDED BY Councilmember Hohman, to APPROVE a Special Use to allow the installation of a proposed Verizon Wireless Communication Facility (WCF) to include a 55-foot tall monopalm and support equipment on property located at 2501 N. PebbleCreek Parkway, with a waiver to allow a reduced setback of 43 feet from the north property line in lieu of the required 55 feet, subject to stipulations. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.3 [16-5743](#) **PUBLIC HEARING TO CONSIDER A SPECIAL USE PERMIT FOR A MINI-STORAGE AND RV STORAGE FACILITY WITHIN THE ESTRELLA 85 COMMERCE PARK PLANNED AREA DEVELOPMENT (PAD) OVERLAY DISTRICT**

Mayor Lord opened the public hearing at 8:56 p.m.

Planner III Karen Craver presented. The Special Use Permit is being requested to allow a mini-storage and RV storage facility on 8.8 acres at the northwest corner of Estrella Parkway and MC-85, within the Estrella 85 Commerce Park Planned Area Development (PAD) overlay district. The Special Use Permit request is for approval of a 43,068 sq. ft. two-story self-storage building, fronting on Estrella Parkway, providing 360 units of varying sizes. 98 canopy-covered RV storage spaces, including 13'x55' spaces and 12'x45' spaces, located along the north and south property lines to the west of the self-storage building. 135 open-parking storage spaces of varying sizes, located along the west property and in the interior of the site to the west of the self-storage building.

A conceptual site plan and conceptual building elevations for the self-storage building were submitted as part of the Special Use Permit request to reflect how the applicant intends to develop the subject property. The applicant has requested approval to screen and secure the entire site with wrought iron fencing.

If the Special Use Permit is approved, the applicant will be required to proceed through the administrative site plan review and approval process to ensure the facility is consistent with the approved Estrella 85 Commerce Park Planned Area Development (PAD) overlay district, as well as the Zoning Ordinance, Design Guidelines, and Engineering Design Standards.

The Special Use request meets all of the required findings for approval of the Special Use Permit, and the Planning and Zoning Commission recommended approval subject to the stipulations in the staff report during their December 16, 2015 meeting.

There being no public comments, Mayor Lord closed the public hearing at 8:58 p.m.

Council Discussion:

- **Welcome to Goodyear.**

- **Special Use Permit approval does not constitute approval of the site plan. Noticed that covered parking is at the north and south side and would front on MC 85.** The covered spaces along the south side are adjacent to the new Pacific Railroad right-of-way and MC 85. During the site plan approval process, staff will work with the applicant on the screening requirement. Chain-link fencing is not allowed.

MOTION BY Councilmember Campbell, SECONDED BY Vice Mayor Lauritano, to APPROVE a Special Use Permit for a mini-storage and RV storage facility within the Estrella 85 Commerce Park Planned Area Development (PAD) OVERLAY DISTRICT. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.4

[16-5746](#)

FIFTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS

Mayor Lord indicated the next three items will be discussed together and action will be taken

separately. Development Services Director Christopher Baker and Engineering Director Rebecca Zook presented the Fifth Amendments to the Amended and Restated Development Agreements for Amber Meadows, La Jolla Vista, and Pradera. Zook indicated Phil Miller, who represents the parcels, is in attendance and available for questions. His team was included in the work effort with various city departments over the last months, and they have had many interactions with his team to attempt to come to an agreement. Their team is acceptable to the core agreement, however, there has not been interaction with all of the other parcels. In order to bring forward something that is comprehensive and that speaks to all of the needs and everything that was presented on October 5, 2015, both the customer and the city is recommending that we move forward with these extensions, the fifth and final extensions.

Council Discussion

- **Pleased to hear that this is the fifth and final. What is needed once this is adopted to get the buy-in from the other parcels?** Zook said we have a core agreement and received comments on Friday from one of the developers and are waiting for responses from two of the larger developers. We are waiting for comments from some of the smaller developers; however, we do not believe we will receive any comments as the city has already met with them and they believe the city will consider all of their issues.
- **Does the core agreement place a timeline on the individual parcels to buy in on the agreement?** We have worked consistently with this team to provide the same opportunities for these developments that are part of the West Goodyear core group, the same accommodations that are currently allowed to other developments. The hope is that this will spur that development on. If it doesn't, this is the last and final.
- **Is there a timeline on when this expires?** This extension expires when we get the two development agreements that will be brought to Council on or before April 29, 2016. What is proposed in the core agreement only speaks to the flexibility options discussed on October 5, 2015. Each of the parcels has a unique development agreement that has different obligations and timelines.
- **We talked about this many times and nothing gets done. Are the rest of the parcels going to be coming in on April 29th?** The three before you expire on January 31, 2016, and that is why only these three are presented tonight. We are communicating with the entire group.
- **Are these the only ones who have a fifth extension?** Yes, the others have gone through a different process and are at various stages.
- **Appreciate the city stepping forward and helping the developers with their problems.**
- **Are any of these three related to the discussion we had in late December regarding the 5x5 lots?** That is the El Cidro development and they are part of the West Goodyear group. El Cidro has submitted final plat applications.
- **Glad to see them back again with a vision.**

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Hohman, to ADOPT RESOLUTION NO. 16-1739 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FIFTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR AMBER MEADOWS; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND FIFTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE

DATE. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.5 [16-5747](#) **FIFTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA**

MOTION BY Councilmember Stipp, SECONDED BY Councilmember Hohman, to ADOPT RESOLUTION NO. 16-1740 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FIFTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR LA JOLLA VISTA; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND FIFTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

7.6 [16-5748](#) **FIFTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR PRADERA**

MOTION BY Councilmember Campbell, SECONDED BY Councilmember Hohman, to ADOPT RESOLUTION NO. 16-1741 APPROVING, AUTHORIZING AND DIRECTING THE EXECUTION OF THE FIFTH AMENDMENT TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR PRADERA; PROVIDING AUTHORIZATION AND DIRECTION TO TAKE ACTIONS AND EXECUTE DOCUMENTS NECESSARY TO CARRY OUT INTENT OF RESOLUTION AND FIFTH AMENDMENT; AND PROVIDING FOR AN EFFECTIVE DATE. The motion carried by the following vote:

Ayes 6 - Mayor Lord, Vice Mayor Lauritano, Councilmember Pizzillo, Councilmember Campbell, Councilmember Stipp, and Councilmember Hohman

Excused 1 - Councilmember Osborne

8. **INFORMATION ITEMS**

1. Comments, Commendations, Report on Current Events and Presentations by Mayor, Council Members, staff or members of the public.

Council attended or reported on the following:

None.

2. Manager's Summary of Current Events and Reports

The Manager may provide a brief summary of current events; however, there can be discussion

only on the following matters:

1. Manager’s Update on Council Related Matters:

- Follow up on the Citizen Satisfaction Survey geographical comparisons between 2014 and 2015 data, and what can be done about those items that have dropped by more than five percent.
- As part of the budget process discuss additional fire station and prioritization.
- Council will be kept informed on the Compass Church access and timelines.

2. Update of Legislative Issues:

None.

3. Staff Summary of follow up action required:

None.

4. Council members may direct inquiries to staff:

None.

9. FUTURE MEETINGS

02/01/16	Council Retreat - Part III	4:30 p.m.
02/08/16	Work Session	4:30 p.m.
02/08/16	Regular Meeting	6:00 p.m.
02/22/16	Work Session	5:00 p.m.
02/22/16	Regular Meeting	6:00 p.m.

10. ADJOURNMENT

There being no further business to discuss, Mayor Lord adjourned the Regular Meeting at 9:16 p.m.

Maureen Scott, City Clerk

Georgia Lord, Mayor

Date: _____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the City of Goodyear, Arizona, held on January 25, 2016. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 201__.

Maureen Scott, City Clerk

SEAL: