



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, October 10, 2018

6:00 PM

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

1. CALL TO ORDER

Chairman Bray called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Staff Present: Development Services Director Christopher Baker, Assistant City Attorney Sarah Chilton, Planning Manager Katie Wilken, Planner III Karen Craver, Planner III Steve Careccia, Management Assistant Heather Harris

4. MINUTES

- 4.1** [P&Z MIN 11-2018](#) Approve draft minutes of the Planning and Zoning Commission held on September 25, 2018.

MOTION BY Commissioner Kish, SECONDED BY Commissioner Molony, to APPROVE draft minutes of the Planning and Zoning Commission held on September 25, 2018. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

5. PUBLIC COMMENTS

None.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS**8.1 [18-300-00006](#) USE PERMIT REQUEST FOR A CONVENIENCE USE
(DRIVE-THROUGH RESTAURANT) ON PROPERTY ZONED
PLANNED AREA DEVELOPMENT/GENERAL COMMERCIAL**

Chairman Bray opened the public hearing at 6:02 p.m.

Planner III Karen Craver presented the request to recommend approval for a use permit for a convenience use (drive-through restaurant) on a 1.67-acre parcel on the west side of Estrella Parkway, south of Van Buren Street, within the approved Hudson Commons Planned Area Development (PAD), subject to the stipulations listed in the staff report.

The drive through restaurant is proposed on a parcel zoned for commercial use, within an approved mixed use center intended for such uses. The mix of uses are considered reasonably compatible with each other. Staff finds that the use permit request meets the conditions and required findings for approval of a use permit, and satisfies the additional evaluation criteria required for convenience uses as established in the Zoning Ordinance.

Scott Ody, Hilgart Wilson, on behalf of Culver's was available to address any questions the Commission may have.

There being no public comment, Chairman Bray closed the public hearing at 6:07 p.m.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 18-300-00006 Use Permit Request For A Convenience Use (Drive-Through Restaurant) On Property Zoned Planned Area Development/General Commercial. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

8.2 [18-200-00004](#) LA PRIVADA REZONE

Chairman Bray opened the public hearing at 6:08 p.m.

Planning Manager Katie Wilken presented the request to recommend approval to rezone approximately 193 acres to the city's Single Family Residential R1-4, R1-6, and R1-7 districts. With the requested R1-4, R1-6, and R1-7 zoning, La Privada will develop in accordance with the standards in the recently updated Article 3-2 of the City of Goodyear Zoning Ordinance rather than the project specific standards approved in the PAD. These parcels within La Privada will follow the same development standards as all other properties in the city zoned R1-4, R1-6, and R1-7 except for the reduction in the rear yard setbacks. Pursuant to the ordinance, the R1-4 parcels must include one amenity elements, two connectivity elements, and three streetscape elements. The applicant has identified which amenities will be provided to allow for the R1-4 zoning. Staff finds that the rezone

request is consistent with the General Plan, the Zoning Ordinance, and best serves the public interest, health, comfort, convenience, safety, and general welfare of the citizens of Goodyear. Staff recommends approval of the request to rezone, as set forth in the draft ordinance.

Commissioner Walters inquired about disclosures to future home buyers regarding dust and animal complaints and wanted to know if the disclosures will be a part of what is being voted on. Ms. Wilken identified the stipulation in the staff report regarding the disclosures that must be provided. Commissioner Walters also wanted to know more about the single story homes against the White Tank mountain views referenced in the neighborhood meeting notes. Ms. Wilken identified the area the notes referenced and stated that suggestions were made by residents to limit those lots to single story homes. Ms. Wilken also explained that preserving views is not a city policy and does not stipulate for views.

Hugo Blanco representing Melcor Developments and Dawn Fortuna of Rick Engineering presented an overview of the La Privada plan and stated they are wanting to bring diversification of home product to meet customer demand, especially for first time home buyers. Reviewed amenities such as the dog park, trails, bbqs, amphitheater, and recreation locations. Ms. Fortuna further explained how connectivity has been integrated into the community and noted that Estrella Mountains are 5 miles away, so views should be minimally impacted.

Maricopa County resident Bill Lanier, Jr. expressed concern regarding the following: potential nuisance complaints by the new residents regarding farm noises and smells, work hours of construction, dust control during the development, the open irrigation ditch and the potential for children getting hurt, street lighting, and blocking the White Tank mountain views by two-story homes. Mr. Lanier wants to keep the rural feel of the area and is especially concerned about the density associated with the R1-4 density.

Maricopa County resident Nancy Tannenbaum expressed that she was concerned with the same issues presented by Mr. Lanier as well as water consumption. Additionally, she voiced her concern with the R1-4 density and lower priced homes.

There being no further public comment, Chairman Bray closed the public hearing at 6:30 p.m.

Chairman Bray requested that staff address the concerns of the Maricopa County residents. Mr. Baker stated that the agricultural concerns are addressed in the disclosures required in the stipulations. Mr. Baker reviewed the Goodyear City Code restriction times on construction times based on the time of year. The Engineering department permits and inspects for dust control measures, while Maricopa County also has authority to address. The irrigation ditch does not belong to the City of Goodyear. The lighting is subject to the down lighting requirement by city ordinance. As for water consumption, utility services provided by the city and will not need well water from the county residents.

Commissioner Walters requested that Ms. Wilken provide her thoughts on the density concern of the

R1-4 product expressed by the Maricopa County residents. Ms. Wilken explained that two of the parcels are remaining the same as the approved zoning. The south parcel is only including a few more units than currently approved to be built today. The area changing is separated most from the county land.

Commissioner Kish made a motion to recommend approval for the case, followed by a second from Vice Chairman Barnes. After the motion to recommend approval, but prior to the vote, Commissioner Walters moved to add a stipulation limiting the homes along the Maricopa County property in the area zoned R1-4 to be single story.

Ms. Fortuna addressed the motion to amend and suggested that the view obstruction from a single story versus a two story would be minimal.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Steiner, to APPROVE the stipulation to limit the row of homes along the east side of Parcel 3, which are adjacent to Maricopa County land, to one-story. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Vote on the first motion with added stipulation:

MOTION BY Commissioner Kish, SECONDED BY Vice Chairman Barnes, to recommend APPROVAL for Case 18-200-00004 La Privada Rezone, with the approved stipulation to limit the row of homes along the east side of Parcel 3, which are adjacent to Maricopa County land, to one-story. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

8.3 [18-500-00005](#) **PRELIMINARY PLAT FOR ESTRELLA PARCEL 7.1**

Planning Manager Katie Wilken presented the request to recommend approval of a request for a preliminary plat for Estrella Parcel 7.1, subject to stipulations. This parcel consists of 20.88 acres subdivided into 80 single family detached residential lots and 32 tracts. The preliminary plat is consistent with the land use, development standards and density approved by the Montecito PAD Amendment. Staff does propose that the traffic signal payment stipulation to adhere to the zoning that was previously approved, which is that instead of requiring payment at the recordation of the final plat, to allow payment when warranted.

The preliminary plat is consistent with the technical requirements of the City's Subdivision Regulations. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development. Staff recommends approval with the added stipulation.

MOTION BY Commissioner Walters, SECONDED BY Vice Chairman Barnes, to recommend APPROVAL for Case 18-500-00005 Preliminary Plat for Estrella Parcel 7.1, subject to stipulations. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

8.4 [18-500-00011](#) CANTAMIA PHASE 3 PARCEL 32 PRELIMINARY PLAT

Planner III Steve Careccia presented the request to recommend approval for a preliminary plat for CantaMia Phase 3 Parcel 32, subject to stipulations. The request is for a preliminary plat subdividing 11.26 acres into 41 single family lots and 10 tracts. The proposed subdivision is designated as Parcel 32 within the CantaMia active adult community. The parcel is located inside the CantaMia Parkway loop road. The typical lot within the subdivision will be 60 feet wide and 117 feet deep. As designated in the PAD, minimum buildings setbacks are as follows: front - 20 feet, side - five feet, and rear - 15 feet. Lot coverage is 60%. The maximum building height is 30 feet.

The preliminary plat is consistent with the technical requirements of the city's subdivision regulations and engineering standards. The preliminary plat is consistent with the land use, development standards and density approved by the CantaMia PAD for the parcel. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

MOTION BY Commissioner Keys, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 18-500-00011 CantaMia Phase 3 Parcel 32 Preliminary Plat. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

9. STAFF COMMUNICATIONS

Director Christopher Baker reviewed the city council decisions on cases heard by the commission. Also, there will be training opportunities available for the commission members in the near future.

Planning Manager Katie Wilken reminded the members that the next meeting will be held on November 14, 2018.

10. ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 6:51 p.m.

Respectfully Submitted By:

Heather Harris, Commission Secretary

Patrick Bray, Chairman

Date: _____