



## City of Goodyear

See meeting location below

### Meeting Minutes

#### Planning & Zoning Commission

---

Wednesday, March 18, 2015

6:00 PM

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

---

#### 1. CALL TO ORDER

Chairman Peters called the meeting to order at 6:01 p.m.

#### 2. PLEDGE OF ALLEGIANCE

#### 3. ROLL CALL

**Present** 7 - Chairman Ryan Peters, Vice Chairman Vickie Hamilton, Commissioner Cathleen Short, Commissioner Patrick Bray, Commissioner Randy Barnes, Commissioner Jason Kish, and Commissioner Kathleen Molony

Staff Present: Katie Wilken, Planning Manager; Bobbie Fulbright, Development Services Administrator; Karen Craver, Planner III; Liz Gundlach, Development Services Administrative Assistant.

#### 4. MINUTES

- 4.1** P&Z MIN Approve draft minutes of the Planning and Zoning Commission meeting held  
02-2015 on February 18, 2015.

**Motion by Commissioner Bray, Seconded by Commissioner Kish to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on February 18, 2015. The motion carried by the following vote**

**Ayes** 7 - Chairman Peters, Vice Chairman Hamilton, Commissioner Short, Commissioner Bray, Commissioner Barnes, Commissioner Kish, and Commissioner Molony

#### 5. PUBLIC COMMENTS

None.

#### 6. DISCLOSURE OF EX PARTE COMMUNICATIONS

Commissioner Kish stated that he attended the Citizen Review Meeting held on February 25, 2015 at Starpoint Residents Club, regarding the Taco Bell in Estrella Mountain Ranch, in which he spoke to a couple of developers.

**7. OLD BUSINESS**

None.

**8. NEW BUSINESS****8.1 Open Meeting Law and Ethics Training - Maureen Scott, City Clerk**

Maureen Scott, City Clerk conducted the Open Meeting Law and Ethics Training.

**8.2 14-300-00006 USE PERMIT FOR A CONVENIENCE USE "TACO BELL DRIVE THROUGH" AT MOUNTAIN RANCH MARKETPLACE WITHIN THE ESTRELLA PHASE ONE PLANNED AREA DEVELOPMENT (PAD) ZONING DISTRICT**

Karen Craver, Planner III made a presentation before commission with details on the site location, hours of operation, the recommendation and stipulations.

Architect JD Berryman of Looker and Kapella was present to discuss the Taco Bell plan. Mr. Berryman described the project and proposed changes to the site. The building design is not a prototypical design like the one on Litchfield Road the design will match the center. Mr. Berryman stated he agreed with the stipulations.

**MOTION BY Vice Chairman Hamilton and SECONDED BY Commissioner Bray to recommend APPROVAL of a request for a Use Permit to allow a convenience use (Taco Bell drive-through restaurant) at Mountain Ranch Marketplace within Estrella Phase One Planned Area Development with stipulations recommended in the Staff Report. The motion carried by the following votes.**

**Ayes**      7 - Chairman Peters, Vice Chairman Hamilton, Commissioner Short, Commissioner Bray, Commissioner Barnes, Commissioner Kish, and Commissioner Molony

**8.3 13-500-00004 PRELIMINARY PLAT FOR LAS VENTANAS**

Katie Wilken, Planning Manager stated that case number 13-500-00004 is being continued until the next Planning & Zoning Commission Meeting to be held on April 15, 2015.

**8.4 12-200-00001 ESTRELLA COMMONS PRELIMINARY AND FINAL PLANNED AREA DEVELOPMENT (PAD)**

Katie Wilken, Planning Manager, presented the Staff Report for Estrella Commons. Ms. Wilken explained that the applicant is requesting the re-zoning of approximately 180 acres from the PAD District to the preliminary and final PAD District.

Ms. Wilken covered details on the proposed single-family known as Estrella Commons along

the I-10 which is discouraged in the general plan. However, the applicant is providing a sound wall 20-23 feet high depending on which portion it's located on. This would reduce the projected noise levels to (Leq) 63 dBA for the exterior and (Leq) 38 dBA for the interior which complies with the zoning ordinance requirements. The zoning ordinance requires the exterior noise level to be at (Leq) 64 dBA for the exterior and (Leq) 45 for the interior.

Ed Bull from Burch & Cracchiolo, P.A. and Kelly Hayes from Evergreen Development Company were present to discuss the application and to address the questions and issues presented by commission. Evergreen Development Company is mostly commercial development but has moved into residential development. Mr. Bull stated that the Goodyear Centerpointe (which was developed by Evergreen) was developed 10 years ago, and is located at PebbleCreek Parkway and McDowell Road. Evergreen Development has been the owner of this property for 10 years and is very familiar with Estrella Parkway. Evergreen has been involved with Goodyear for several years and has been a part of many commercial developments over the years.

Mr. Bull explained that the entrance to the development will be from Roosevelt Street as shown on the plans with tree lined entrance leading into the central park and trail system that runs throughout and will have pocket parks throughout the development. The northern edge-green belt is on the south side of the noise wall and 80 foot deep landscape buffer. The site will also contain commercial buildings along with shopping and retail stores in the District area. They accept all 30 stipulations and will continue to work on the district portions.

#### Commission Discussion

Several Commissioners expressed concern regarding the proposed single-family residential area known as Estrella Commons which is proposed next to the I-10 and the impact that it will have on the resale value due to the noise level. Several commissioners questioned if it would be possible to put condos or something else in that area. Mr. Bull indicated that because of site constraints, single family residential lots is the only viable use in the area versus condos or other types of housing. Mr. Bull indicated they are ready to start construction as soon as possible. Ms. Wilken indicated that staff is recommending approval.

**MOTION BY Commissioner Short, SECONDED BY Commissioner Bray, to APPROVE the request to rezone 180 acres from the PAD District to the Preliminary and Final PAD District at the SE corner of I-10 and Estrella Parkway. The motion carried by the following vote.**

**Ayes**      4 - Chairman Peters, Commissioner Short, Commissioner Bray, and Commissioner Barnes

**Nayes**      3 - Vice Chairman Hamilton, Commissioner Kish, and Commissioner Molony

## **9. STAFF COMMUNICATIONS**

Ms. Wilken, Planning Manager requested that the Commission consider having two meetings per month. Meetings would be held the first Wednesday and the third Wednesday of the month. The Commission had this type of schedule in 2006-2007.

The third Wednesday meeting would be a regular meeting and the first Wednesday meeting would only be held if there were items to be discussed. This would benefit our customers who need to get through the process much quicker and who are on tight deadlines from their banks and funding sources.

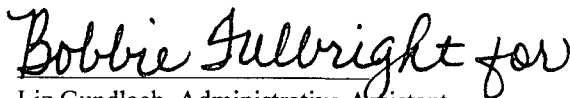
Commissioner Kish asked if they could discuss this together or wouldn't they need to form a quorum since it would be four or more meeting together? Ms. Wilken confirmed that no they could not meet together as this would violate the open meeting law. But they could ask her questions but could not meet among themselves as the City Clerk Maureen Scott stated in the training.


Chairman Peters suggested to put this on the next meeting agenda to discuss.

**10. ADJOURNMENT**

There being no further business to discuss, Chairman Peters adjourned the meeting at 7:44 p.m.

Respectfully Submitted by:

  
Liz Gundlach, Administrative Assistant

  
Ryan Peters, Chairman

Date: 4-15-2015

April 15, 2015

To: Goodyear Planning & Zoning staff

From: Vickie Hamilton, Planning & Zoning Commissioner

Ref: P & Z Commission Meeting minutes March 18, 2015

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.