



City of Goodyear

See meeting location
below

Meeting Minutes - Final-revised

Planning & Zoning Commission

Wednesday, June 13, 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 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Absent 1 - Commissioner Kish

Staff Present: Development Services Director Christopher Baker, Engineering Director Rebecca Zook, Planning Manager Katie Wilken, Planner III Steve Careccia, Planner II Alex Lestinsky, Project Manager Harry Paxton, Management Assistant Heather Harris

A vote shall be taken at this time to excuse only those Commission members who were unable to attend the meeting due to extenuating circumstances.

MOTION BY Vice Chairman Barnes, SECONDED BY Commissioner Keys, to EXCUSE Commissioner Kish from the meeting. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Excused 1 - Commissioner Kish

4. MINUTES

- 4.1 [P&Z MIN 06-2018](#) Approve the draft minutes of the Planning and Zoning Commission meeting held on May 30, 2018.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Steiner, to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on May 30, 2018. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Excused 1 - Commissioner Kish

5. PUBLIC COMMENTS

None.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

7. OLD BUSINESS

7.1 [18-210-00003](#) EL CIDRO BEAZER FINAL PLANNED AREA DEVELOPMENT (PAD)

This case was requested to be continued to the Planning and Zoning Commission meeting to be held on June 27, 2018.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Keys, to CONTINUE Case 18-210-00003 El Cidro Beazer Final Planned Area Development (PAD) to the Planning and Zoning Commission meeting held on June 27, 2018. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Excused 1 - Commissioner Kish

**7.2 [18-210-00002C](#) EL CIDRO BET FINAL PLANNED AREA DEVELOPMENT (PAD)
[ont](#)**

This case was requested to be continued to the Planning and Zoning Commission meeting to be held on June 27, 2018.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Steiner, to CONTINUE Case 18-210-00002 El Cidro BET Final Planned Area Development (PAD) to the Planning and Zoning Commission meeting held on June 27, 2018. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Excused 1 - Commissioner Kish

8. NEW BUSINESS

8.1 [18-210-00001](#) CHRISTOPHER TODD COMMUNITIES AT CANYON TRAILS PAD

Chairman Bray opened the public hearing at 6:04 p.m.

Planner II Alex Lestinsky presented the request to recommend approval to remove the Property from the Canyon Trails Phase II PAD to create a separate PAD known as the Christopher Todd Communities at Canyon Trails PAD, changing the land use designation to Multi-Family Residential (MFR).

The subject property is currently zoned Commercial, with a portion zoned for medium-high density residential. However, the property owner would like to develop the entire 22.1-acre property as a multi-family development. The conceptual site plan proposes 261 single story rental units. The 1 bedroom units are in packs of two, and the 2 bedroom units are detached units providing for a single family residential type environment. The net density is proposed at 14 dwelling units per acre. The rezoning request identifies the development standards and use for the subject property. Stipulation #2 requires a separate site plan and design review for the property. If Christopher Todd Communities decided to no longer develop the property, the development standards in Exhibit A would apply to any project moving forward.

With the stipulations as recommended by staff, the requested PAD amendment is in conformance with the General Plan and will not adversely affect the surrounding area. As such, staff recommends conditional approval of the Christopher Todd Communities at Canyon Trails PAD, pursuant to Ordinance No. 2018-1389.

Paul Gilbert of Beus Gilbert PLLC was present to further elaborate on the proposed amendment. Mr. Gilbert stated that the Christopher Todd community is a unique multi-family product with all single story dwellings that resemble cottages. Each unit has a private backyard and the property will have resort like amenities. This development is directed at a niche market for renters by choice. Features of the units include 10 foot ceilings, granite countertops, and other high end features within the units. The density is approximately 13.6 units/acre and there will only be 1 or 2 bedroom units. The property will be less dense than what is provided in the current zoning.

Commission wanted to know what prompted the movement away from commercial, especially considering the proximity to the Loop 303. Mr. Gilbert stated that there was not a market for commercial development at this site.

Commission also asked about the potential for traffic stacking up on 173rd since this is a gated community. Clayton Nielson of WestLand Resources stated that the gates were located internally and on each side, near the clubhouse. The turnaround is wide enough to prevent stacking.

There being no public comment, Chairman Bray closed the public hearing at 6:17 p.m.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Molony, to recommend APPROVAL of Case 18-210-00001 Christopher Todd Communities at Canyon Trails PAD. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Excused 1 - Commissioner Kish

**8.2 [18-300-00002](#) USE PERMIT FOR SWIMMING POOL IN FRONT YARD OF
RESIDENCE AT 9697 SANTO TOMAS DR.**

Chairman Bray opened the public hearing at 6:18 p.m.

Development Services Director Christopher Baker introduced the case stating that Development Services and Engineering work closely together and are proud of the customer service the departments provide. Recently, however, there was a pool permit issued prior to obtaining the use permit. Director Baker apologized to the homeowners for the error.

Chairman Bray adjourned the meeting to executive session at 6:21 p.m.

Chairman Bray reconvened the meeting at 6:26 p.m.

Long Range Planner Joe Schmitz presented the request to recommend approval for a Use Permit for a swimming pool to be located in the front yard of the residence at 9697 Santo Tomas Drive on Lot 31 of Estrella Parcel 9 in the Estrella Phase I Planned Area Development (PAD). A swimming pool may be located in a front yard if a Use Permit is obtained, as provided in Section 5-3-3. The front of the home is set back approximately 45 feet from the front property line. The pool will not be located closer than 25-feet to the front property line. The pool will be enclosed by a combination of landscaping and retaining walls as well as a wrought iron fence. The proposed colors and materials are consistent with the primary residence. There are no existing homes on the lots directly abutting the subject property. Notice was sent to property owners within 500-feet of the lot.

An email requesting that the Commission not recommend approval was sent to Schmitz on June 12, 2018 at 5:07 p.m. from Sunchase Holdings representative Todd Tupper, the authorized agent for the parcel owners adjacent to the property. The email was shared with the commissioners.

Staff finds that the Use Permit request is compatible with the existing land uses within the area and will not be a detriment to surrounding properties or persons. Staff recommends approval of the Use Permit, subject to stipulations.

Commission had questions concerning:

*Will approving the request set a precedent? Schmitz stated it would be considered on a case by case basis. Director Baker commented that there is evaluation criteria, so there is already a test embedded in the ordinance that any other request would have to meet, so staff is comfortable recommending approval.

*What does the apex reference in the email from Mr. Tupper mean? Schmitz indicated that he was unsure about the point Mr. Tupper was trying to make.

*Commission noted that the rendering provided was not a vantage point from the neighbors, so is the

pool visible when walking by? Planning Manager Katie Wilken offered a Google Earth perspective to assist the commissioners in gaining a better perspective of the property.

Homeowners Eric and Amy Hermann presented to the Commission and thanked staff for their efforts. Mr. Hermann indicated that there is another home in Goodyear with a front yard pool. He also noted that, according to his research, other cities do allow front yard pools. The pool can not be seen from the street level and one would need to be in the driveway to see the pool. Mrs. Hermann stated that the home has a wash on each side and sits significantly higher than the adjacent properties.

Public Comment:

*Neighbor Rebecca Brekke spoke in support of the pool and stated that she walks by everyday and it will not be a distraction. Sound doesn't travel that well in this area and she can't hear her neighbors.

*Neighbor Susan Smelzer spoke in support of the pool and stated that this was a custom home area; we want to see uniqueness and beautification. Ms. Smelzer stated that the adjacent lots are quite a bit down from the home in question.

*Neighbor Rafaela Gilmore spoke in support of the pool and stated that she can see their house from hers and that she walks by the home everyday. The home is very high on the hill and she supports the project. Ms. Gilmore believes it will bring value to the neighborhood.

There being no further public comment, Chairman Bray closed the public hearing at 6:53 p.m.

MOTION BY Vice Chairman Barnes, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 18-300-00002 Use Permit for Swimming Pool in Front Yard of Residence at 9697 Santo Tomas Dr. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Vice Chairman Barnes, Commissioner Walters, Commissioner Keys, and Commissioner Steiner

Nays 1 - Commissioner Molony

Excused 1 - Commissioner Kish

8.3 [18-200-00003](#) AMENDMENT TO THE PV303 PLANNED AREA DEVELOPMENT

Chairman Bray opened the public hearing at 6:54 p.m.

Planner III Steve Careccia presented the request to recommend approval of the proposed amendment of the PV303 Planned Area Development (PAD). The amendments are: 1) rezone approximately 11 acres within PV303 West III from Commercial (C-2) to Industrial (I-1). The subject acreage is generally located on the west side of Cotton Lane, approximately 450 feet north of Thomas Road; 2) Increase the allowed maximum building height within an approximately 310-acre portion of PV303 West III from 75 feet to 130 feet for industrial buildings and related support equipment within the Industrial (I-1) zoning district. The subject acreage is located between Cotton Lane and Citrus Road, north of the Thomas Road alignment. This acreage includes the 11 acres being

changed from Commercial to Industrial, as noted above; and, 3) Approve a restated “PAD Development Parameters and Uses June 2018” that does not include substantive changes except those outlined above.

The subject property is located within the vicinity of a military airport. Luke Air Force Base has indicated that the proposed amendments to land use and height will not adversely affect base operations. As recommended by Luke AFB, the developer will be required to provide notice of base operations to all future tenants/businesses.

With the recommended stipulations, the requested PAD amendment is in conformance with the General Plan and will not adversely affect the surrounding area. As such, staff recommends conditional approval of the amendment.

Commission wanted to know if there were any other buildings in the area that are 130 feet and if a user had been identified for this area. Also, Commission expressed concern about not being able to review future plans, if this is approved now. Planning staff informed Commission that there is not currently anything that high in the area. The request is to support operations that may require that height, but not the building itself. A specific user has not been identified. Examples of support operations were offered by planning staff that would need that sort of height requirement. Director Christopher Baker confirmed that no further action would be required if this is approved. Troy Mortensen with Sunbelt further elaborated on the type of user that may need this height for their operations. Also, Project Manager Harry Paxton stated that there has been a resurgence in manufacturing and the City is looking to provide opportunities to attract users to locate these type of industrial projects in Goodyear.

There being no public comment, Chairman Bray closed the public hearing at 7:10 p.m.

MOTION BY Commissioner Walters, SECONDED BY Vice Chairman Barnes, to recommend APPROVAL for Case 18-200-00003 Amendment to the PV303 Planned Area Development. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Nays 1 - Commissioner Keys

Excused 1 - Commissioner Kish

8.4 [18-300-00003c](#) CITY OF GOODYEAR WELL NO. 25 USE PERMIT
[ont](#)

The public hearing has been re-noticed for the June 27, 2018 Planning and Zoning Commission meeting.

8.5 [18-350-00001c](#) CITY OF GOODYEAR WATER CAMPUS NO. 12 SPECIAL USE
[ont](#) **PERMIT FOR A WIRELESS COMMUNICATIONS FACILITY**

The public hearing has been re-noticed for the June 27, 2018 Planning and Zoning Commission meeting.

8.6 [18-200-00005c](#) **CITY OF GOODYEAR WATER CAMPUS NO 12 REZONE**
[ont](#)

The public hearing has been re-noticed for the June 27, 2018 Planning and Zoning Commission meeting.

8.7 [18-PZWK-1](#) **AUTONOMOUS VEHICLES AND THE IMPACTS ON COMMUNITY**
PLANNING

Planning Manager Katie Wilken presented to the Commission the potential impacts of autonomous vehicles on community planning.

Chairman Bray exited the meeting during the presentation.

9. STAFF COMMUNICATIONS

None.

10. ADJOURNMENT

There being no further business to discuss, Vice Chairman Barnes adjourned the meeting at 7:47 p.m.

Respectfully Submitted By:

Heather Harris, Commission Secretary

Patrick Bray, Chairman

Date: _____