



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, September 12, 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 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Absent 2 - Vice Chairman Barnes, and Commissioner Keys

Staff Present: Development Services Director Christopher Baker, Assistant City Attorney Sarah Chilton, Planner III Karen Craver, Planner III Steve Careccia, Planner II Alex Lestinsky, Management Assistant Heather Harris.

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

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

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

4. MINUTES

- 4.1 [P&Z MIN 09-2018](#) Approve draft minutes of the Planning and Zoning Commission meeting held on August 8, 2018.

MOTION BY Commissioner Kish, SECONDED BY Commissioner Walters, to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on August 8, 2018. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

5. PUBLIC COMMENTS

None.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS

8.1 [07-200-00023](#) RAINBOW VALLEY FINAL PLANNED AREA DEVELOPMENT REZONE

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

Planner III Karen Craver explained to commission that postcards were not sent on time and requested continuing the meeting until the next Planning and Zoning Commission meeting to be held on September 25, 2018 at 6 p.m.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Steiner, to CONTINUE Case 07-200-00023 Rainbow Valley Final Planned Area Development Rezone to the Planning and Zoning Commission meeting to be held on September 25, 2018 at 6 p.m. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

8.2 [18-210-00002](#) EL CIDRO FINAL PAD AMENDMENT TO MODIFY REAR & SIDE SETBACKS AND MAXIMUM LOT COVERAGE DEVELOPMENT STANDARDS, AND TO CONSOLIDATE STIPULATIONS

Chairman Bray opened the public hearing at 6:03 p.m.

Planner III Karen Craver presented the request to recommend approval for a request by BET Investments to modify development standards within the LDR1, LDR2, and LDR3 land use categories as depicted on the attached Land Use Plan dated May 15, 2018. Specifically BET is asking to reduce the rear yard setback from 20 feet to 18 feet on its property within the LDR2 and

LDR3 land use category, to reduce the side setbacks within the LDR1, and LDR3 land use categories from five feet and 10 feet (15 feet total) to five feet and five feet (10 feet total), and to increase the maximum lot coverage from 50% and 55% to 60% within the LDR1, and LDR3 land use categories to reflect the requested reduced setbacks. (Please note that the staff report omitted information for LDR2).

In order to address the streetscape, staff has required that the Enhanced Landscape Package dated June 4, 2018 be applied in order to soften the appearance of the canyon effect created by the homes being 10 feet apart. The draft ordinance approving the requested modifications to the development standards includes a stipulation regarding the enhanced landscape package, as well as stipulations imposed on a previous development standards modification that required enhancements to the homes themselves. Of note, is the deletion of stipulation No. 49 from Ordinance 2007-1060; the original ordinance approving the El Cidro PAD. The stipulation required the developer to construct an eight foot wall adjacent to certain residential parcels as a “visual mitigation measure” for the future Loop 303. Now that ADOT has designated all of El Cidro as being in its noise study area and has determined that sound attenuation walls will be constructed by ADOT as part of the Loop 303 extension construction, it is not necessary for El Cidro to construct an eight foot wall adjacent to certain residential parcels as a “visual mitigation measure”. El Cidro will construct typical six foot privacy walls adjacent to residential parcels pursuant to approved civil construction documents.

Staff finds that the rezone request is consistent with the General Plan and 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 modify the rear & side setbacks and the maximum lot coverage development standards of the El Cidro Final PAD and to consolidate the stipulations, as set forth in the draft ordinance.

Commissioner Walters:

*Is there a landscape image available for review from street view? Planner III Craver indicated there was not a visual from the street perspective.

Commissioner Steiner:

*Will homes have an enhanced fire resistant package since they are so close together? Planner III Craver stated that distance meets the fire code.

Commissioner Kish

*Concern with crowding homes and thought the neighborhood may be less attractive to potential buyers. Homes clustered together has had a negative effect in the past. Planner III Craver stated that this is a standard request from homebuilders to meet market demand and staff believes the landscape package would help with appearance.

*Is this a movement we are going to see from developers going forward? Staff believes it will continue and recently updated zoning to allow these types of products.

Representing BET Investments, Executive Vice President Scott Moore made himself available for

Commission questions. Commissioner Walters asked if he had a street view design available. Mr. Moore did not have one available, but offered to provide one at a later time.

Discussion after the motion:

Commissioner Walters expressed that she agreed with Commissioner Kish's concerns and would not be comfortable moving forward without seeing what the neighborhood would look like from the street. Chairman Bray asked staff if there was anything to further explain how the landscape package will enhance the look. Director Baker deferred to Mr. Moore who stated that he would have provided the visual, if he had realized it was needed. Mr. Moore stated that this project was within the Goodyear standards and that the PAD is 14 years old. The idea is to have more options to provide front porches, side garages, and more diversity of product.

There being no public comment, Chairman Bray closed the public hearing at 6:12 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 18-210-00002 El Cidro Final Pad Amendment to Modify Rear & Side Setbacks and Maximum Lot Coverage Development Standards, and to Consolidate Stipulations.

Although the Chairman declared that the vote carried, the City of Goodyear Planning and Zoning Commission Rules of Procedure I.B.2, requires an "affirmative vote of at least four (4) of its members". Because there were only three (3) votes to recommend approval, the motion failed.

The vote was as follows:

Ayes 3 - Chairman Bray, Commissioner Molony, and Commissioner Steiner

Nays 2 - Commissioner Kish, and Commissioner Walters

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

8.3 [18-200-00008](#) **REZONING FROM AU (AGRICULTURAL URBAN) TO I-1 (LIGHT INDUSTRIAL)**

Chairman Bray opened the public hearing at 6:17 p.m.

Planner III Steve Careccia presented the request to recommend approval to rezone approximately 2.28 acres from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district. The subject property is located on the west side of Bullard Avenue, approximately halfway between Van Buren Street and Yuma Road. The rezoning will facilitate the construction of an APS electrical substation on the property. Within the I-1 (Light Industrial) zoning district, an electrical substation is a permitted use. Staff recommends approval of the rezoning from the AU (Agricultural Urban) zoning district to the I-1 (Light Industrial) zoning district, as set forth in the draft of Ordinance No. 2018-1407.

There being no public comment, Chairman Bray closed the public hearing at 6:22 p.m.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Steiner, to recommend APPROVAL Case 18-200-00008 Rezoning From AU (Agricultural Urban) to I-1 (Light Industrial). The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

8.4 [18-210-00004](#) PEBBLECREEK MARKETPLACE MIXED USE PHASE II PAD

Chairman Bray opened the public hearing at 6:22 p.m.

Planner II Alex Lestinsky presented the request to recommend approval to rezone approximately 30 acres of land currently zoned Agricultural (AG), to Planned Area Development (PAD), to be called the Pebble Creek Marketplace Mixed Use Phase II, which includes approximately 17 acres of multi-family residential and approximately 13 acres of commercial. The multi-family standards in the PAD are similar to the city's MF-24 district development standards except they include a deviation from three MF-24 district standards: maximum height; rear yard setback; and street side setback. The commercial portion of the PAD will defer to the city's C-2, General Commercial standards. The PAD intends to create a mixed use environment that creates pedestrian connections between the commercial and residential areas. A stipulation exists to require a minimum of 204 units to ensure higher density remains on the site as well as a stipulation to meet noise reduction requirements.

With the stipulation recommended by staff, the requested PAD zoning is in conformance with the General Plan and will not adversely affect the surrounding area. As such, staff recommends conditional approval of the Pebble Creek Marketplace Mixed Use Phase II PAD, Dated June 25, 2018, pursuant to Ordinance No. 2018-1403.

Applicant Adam Baugh, Withey Morris PLC expressed gratitude to staff for their help. He explained retail challenges due to online economy and this proposal addresses. Cross connectivity to be included from the site to the retail next door. Uses comply with general plan and is what you'd expect to see on a freeway corridor. Plan uses the existing entrance off 159th Ave. Western edge is designed to be more interactive and engage McDowell Rd. Shaded walkway to commercial area for residents. Believe retail next door will succeed with residents next to it. Due to the proximity to Interstate 10, there will be multiple features in units for noise reduction.

Commissioner Molony expressed concerned with traffic as well as security. Mr. Baugh reviewed using existing access points off of 159th Ave to prevent slowing on McDowell Rd. He explained how it is preferable to have multi-family next to commercial as it reduces traffic and trips. Single family home residents are typically opposed to having multi-family near them. As for security, the community is gated, the property management company, PB Bell, screens tenants and fosters cooperation with police departments for anti-crime initiatives.

Commissioner Kish inquired about garages. Mr. Baugh stated that some units will have garages.

There being no public comment, Chairman Bray closed the public hearing at 6:38 p.m.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Walters, to recommend APPROVAL for Case 18-210-00004 PebbleCreek Marketplace Mixed Use Phase II PAD. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

8.5 [18-200-00007](#) CITRUS FARMS REZONE

Chairman Bray opened the public hearing at 6:39 p.m.

Planner II Alex Lestinsky presented the request to recommend approval to rezone approximately 45 acres to the city's Single Family Residential (R1-6) district. With the requested R1-6, Citrus Farms will develop in accordance with the city's recently updated residential districts rather than the project specific standards approved in the PAD. Removal of the PAD designation is beneficial and efficient in that there will no longer be a set of development standards pertaining only to the development. Citrus Farms will follow the same development standards as all other properties in the city zoned R1-6.

Staff finds that the rezone request is consistent with the General Plan, the Zoning Ordinance and recommends approval of the request to rezone approximately 45 acres from PAD to the R1-6 zoning district, as set forth in the draft ordinance.

There being no public comment, Chairman Bray closed the public hearing at 6:43 p.m.

MOTION BY Commissioner Walters, SECONDED BY Commissioner Molony, to recommend APPROVAL for Case 18-200-00007 Citrus Farms Rezone. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

8.6 [18-500-00010](#) PRELIMINARY PLAT FOR ESTRELLA PARCEL 9.31

Planner II Alex Lestinsky presented the request to recommend approval for the Estrella parcel 9.31 preliminary plat. This parcel consists of 16.45 acres subdivided into 42 single family detached residential lots and 4 tracts. The preliminary plat is consistent with the land use, development standards and density approved by the Montecito PAD Amendment. Parcel 9.31 is restricted to single-story units, per the Montecito Planned Area Development Regulations. 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.

Newland has requested that stipulation #3 be removed as creating a park is not feasible at this time. Staff internally discussed with the Parks department and finds the request agreeable. However, at the time that Mountain Vista Drive is extended, the improvement plans should include the park. Staff recommends approval with the deletion of stipulation #3.

Commissioner Kish wanted to know if the park was being changed or just delayed. Planner II Lestinsky explained that only the timing of the park is being changed.

Commissioner Steiner wanted to know the distance between parcel 9.5, parcel 9.6, and 9.31. Planner II Lestinsky stated that 89.5 feet is the distance and the least amount of distance is 82.6 ft.

MOTION BY Commissioner Kish, SECONDED BY Commissioner Walters, to recommend APPROVAL for Case 18-500-00010 Preliminary Plat for Estrella Parcel 9.31 and to delete stipulation #3. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Walters, and Commissioner Steiner

Excused 2 - Vice Chairman Barnes, and Commissioner Keys

9. STAFF COMMUNICATIONS

Director Christopher Baker updated the Commission about the status of previous cases they had recommended for City Council approval.

Deployment of iPads will be at the Planning and Zoning Commission meeting on September 25, 2018 as well as a refresher on Ethics and uses of city technology resources will be provided.

Commissioners were curious about possible plans to expand Bullard Avenue and Mr. Baker indicated that the area is in the master plan for improvements. Various development proposals are in process that may need action by the Commission regarding this area. Staff is working with developers to time road improvements with development. Yuma Rd. will also be improved.

10. ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 6:55 p.m.

Respectfully Submitted By:

Heather Harris, Commission Secretary

Patrick Bray, Chairman

Date: _____