



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, January 9, 2019

6:00 PM

Goodyear Municipal Court and Council
Chambers
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 Kish, Commissioner Molony,
Commissioner Keys, and Commissioner Steiner

Absent 1 - Commissioner Walters

Staff Present: Development Services Director Christopher Baker, Assistant City Attorney Sarah Chilton, Engineering Director Rebecca Zook, Planning Manager Katie Wilken, City Traffic Engineer Luke Albert, Planner III Karen Craver, Planner III Steve Careccia, 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 Kish, SECONDED BY Vice Chairman Barnes, to EXCUSE Commissioner Walters from the meeting. The motion carried by the following vote:

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

Excused 1 - Commissioner Walters

4. MINUTES

- 4.1 [P&Z MIN 01-2019](#) Approve draft minutes of the Planning and Zoning Commission held on December 5, 2018.

MOTION BY Commissioner Keys, SECONDED BY Commissioner Steiner, to APPROVE the draft minutes of the Planning and Zoning Commission held on December 5, 2018. The motion carried by the following vote:

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

Excused 1 - Commissioner Walters

5. PUBLIC COMMENTS

None.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS

8.1 [18-200-00011](#) REZONE OF GOODYEAR AIRPORT COMMONS PROPERTY FROM AU (AGRICULTURAL URBAN) TO THE I-1 (LIGHT INDUSTRIAL PARK), C-2 (GENERAL COMMERCIAL), AND MF-24 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICTS WITH A PAD OVERLAY

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

Planner III Karen Craver presented the request to recommend approval to rezone the 95-acre Goodyear Airport Commons property at the southwest corner of Bullard Avenue and Van Buren Street from AU (Agricultural Urban) to the I-1 (Light Industrial Park), C-2 (General Commercial), and MF-24 (Multi-family Residential) Zoning Districts with a PAD Overlay. The proposed rezone will allow for a project mix that can include a retail focused commercial corner with a medium sized anchor and several smaller shops and restaurant uses; a dense multi-family project that would help support the newer adjacent commercial corner; and adjacent employment opportunities such as distribution, data or fulfillment centers for the residents. The proposed Goodyear Airport Commons PAD Overlay Development Regulations December 2018 includes development standards, landscape requirements, flex zoning, and Bullard Wash development. The landscaping for the C- 2 (General Commercial) and the I-1 (Light Industrial Park) parcels are to be developed in conformance with the Bullard Avenue Corridor Design Treatment Strategies.

Staff finds that the rezone 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.

Applicant Michael S. Buschbacher, Hunter Engineering, highlighted key aspects of the request.

Indicated that they have worked with the city on this project for the past several months.

There being no public comment, the public hearing was closed at 6:08 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Steiner, to recommend APPROVAL for case 18-200-00011 REZONE OF GOODYEAR AIRPORT COMMONS PROPERTY FROM AU (AGRICULTURAL URBAN) TO THE I-1 (LIGHT INDUSTRIAL PARK), C-2 (GENERAL COMMERCIAL), AND MF-24 (MULTI-FAMILY RESIDENTIAL) ZONING DISTRICTS WITH A PAD OVERLAY.

The motion carried by the following vote:

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

Excused 1 - Commissioner Walters

8.2 [17-210-00008](#) SUN-DS FARMS PAD AMENDMENT

Chairman Bray opened the public hearing at 6:09 p.m.

Planning Manager Katie Wilken presented the request to recommend approved to amend the Sun-DS Farms Planned Area Development (PAD). The proposal amends the two parcels of land (Parcels D and E) currently designated for business commerce uses and rezones them for single-family residential. The existing residential districts established within the PAD will be permitted uses on Parcels D and E. The development standards for all of the residential districts within Sun-DS Farms were approved with the previous Sun-DS Farms PAD approvals. This amendment does not make any changes to Parcels A, B, and C. This amendment does restate the PAD book in order to simplify the use of the regulatory book. In keeping with the city's criteria for allowing smaller lot sizes, the applicant has demonstrated how the neighborhood will meet the design elements included in Section 3-2-3 of the Zoning Ordinance.

A citizen review meeting was held in December and no one attended the meeting. Since then, a property owner inquired about the intersection at Elwood St. Per current Engineering Design Standards, the median should be changed from full access to a 3/4 access. However, Engineering is not requiring the change and full access will remain at this time.

Changes to the regulatory book made since posting to the website and were distributed to the Commission.

Staff has found that the rezone request is consistent with the General Plan, Zoning Ordinance, and best serve the public interest, health, comfort, convenience, safety, and general welfare of the citizens of Goodyear. As such, staff recommends conditional approval of the request, pursuant to the draft Ordinance.

Applicant Ed Bull, Burch & Cracchiolo, stated that he appreciates and accepts staff's recommendation. Offered a full presentation, if requested.

There being no public comment, Chairman Bray closed the public hearing at 6:14 p.m.

MOTION BY Vice Chairman Barnes, SECONDED BY Commissioner Kish, to recommend APPROVAL for case 17-210-00008 SUN-DS FARMS PAD AMENDMENT. The motion carried by the following vote:

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

Excused 1 - Commissioner Walters

8.3 [18-210-00007](#) AMENDMENT TO THE PALM VALLEY PHASE V PLANNED AREA DEVELOPMENT (AVIVA GOODYEAR)

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

Planner III Steve Careccia presented the request to recommend approval for an amendment to the Palm Valley Phase V Planned Area Development (PAD). The request is to modify the development standards applicable to a 15.9-acre multi-family parcel within Palm Valley Phase V. The subject property is located at the northeast corner of Indian School Road and Falcon Drive, adjacent to Falcon Park and the Bullard Wash. The property is currently designated for multi-family development pursuant to the Palm Valley Phase V PAD.

The developer intends to develop a 288-unit multi-family complex on the subject property. However, the developer proposes to modify several of the development standards applicable to the property so as to create a design consistent with their preferred development model. It should be noted that no changes to the allowed residential density are proposed with this PAD Amendment. The request includes: 1) an increase to the maximum building height from 30 feet to 37 feet and to permit parapet walls and other decorative building elements up to a maximum height of 45 feet, 2) reduce the rear yard setback to 30 feet, which would be consistent with the setbacks permitted for other multi-family residential projects in the city, 3) reduce the minimum balcony/patio area to 45 square feet and minimum dimension to five feet, 4) allow the placement of recreational amenities, such as a dog park, sport court & playground equipment, within a portion of this landscape area along Indian School Road. The request would also allow the placement of a six-foot wall, for screening of the recreational amenities, within the landscape setback, and 5) allow the light fixtures for the recreational amenities, proposed within the 30-foot landscape setback along the south property line, to be placed at a height of 15 feet.

Staff finds the requested PAD amendment, with the recommended stipulations, to be in conformance with the General Plan and to not adversely impact the surrounding area and recommends conditional approval of the amendment to the Palm Valley Phase V PAD, pursuant to the draft of Ordinance No. 2018-1417.

Mr. Careccia informed the commission that there were concerns at the neighborhood meeting and that a mailer was sent to residences within 500 feet of the location.

Commission Questions for staff:

>**Clarification that the parcel was approved for multi-family a long time ago and wanted to be clear that the commission is deciding on the amendments.** Mr. Careccia stated that is correct.

>**Asked how the height for this project compares to other multi-family locations in the city.** Mr. Careccia identified other multi-family locations that are comparable for the commission.

>**Asked what the height is of the Assisted Living Facility.** Mr. Careccia indicated the height is 47 ft.

Applicant Susan Demmitt, Gammage & Burnham PLC, addressed the commission and reiterated that they are not requesting a change to the core development standards. Stated that the current zoning allows for three story. Mentioned that the assisted living facility was allowed up to 47 ft. and other comparable projects were approved similarly. Ms. Demmitt also stated that the applicant is in agreement with staff stipulations.

Applicant Jose Romero, Housing Trust Group, reviewed elevations and amenities. A prototype has been built in Mesa and the Goodyear product will be enhanced further and more luxurious. The Mesa location was fully leased in seven months at some of the highest rents in the area and set a record for Mark Taylor properties. Also, the Mesa location was selected as one of three finalist of top products in the country. Presented pictures of the proposed clubhouse, fitness center, apartment interior, and recreational amenities. The complex will allow pets and will have a dog park amenity. The height increase allows for additional sound proofing between floors, vaulted ceilings, and architectural elements. Reviewed line of site from nearby single family residences and the street. Addressed neighborhood meeting concerns regarding traffic and noise. As promised, a traffic study was completed and will be submitted with the site plan. The study indicated that there is no significant change anticipated. The applicant stated that noise will be mitigated by moving the more active amenities near Indian School Rd. and a wall will also serve to reduce and buffer sound.

Commission Question:

>**Asked if there will be a driveway entrance to the park.** The applicant stated that was for emergency access only.

The following 17 Goodyear residents spoke at the public hearing:

>Gail Tolliver - purchased knowing the parcel would be multi-family, but would like something more like Aldea. Wanted to know if it has to be approved just because it is allowed. Disturbed by the 3 versus 2 story height. Believes it will significantly impact morning traffic.

>Lucy Ranus - agreed with previous speaker. Last approvals were for 2 story, wants to keep views, parking increased to 600 spaces, and more cars will impact traffic. Drives Falcon Drive everyday and the traffic study does not make sense. The Avilla apartments have increased traffic. Safety is a concern since Falcon Drive will be overloaded. Questioned accuracy of the emergency response times indicated in the staff report. Asks for the proposal to be reconsidered. Indicated that a traffic study was not included in the agenda items online.

- >Joal Ranus - Would like to know the setback of the amenities from Indian School Rd. and if all the amenities are walled off. Lots of cars in a small area and they are in a hurry.
- >Robert Larson - concerned about the project going in the middle of single family homes. Concerned about traffic; especially school traffic. Does not believe this is a good location for this project. Safety is a concern. Proud of Goodyear; is not Mesa. We like to see our views.
- >Michael Mitchell - Lived in community since 2006; has been a member of the Homeowner's Association (HOA). Recited from the site development plans for Palm Valley Phase 5. Two-story homes are discouraged on corner lots; now we're wanting to put a giant building on a busy corner. Overlooking single story elements stated in the site development plan. Buildings should be designed for privacy. Designed for single family homes that are mostly single story. There are no adjacent properties to the assisted living home, but the school. New land use should be a benefit to the owners and residents in the area.
- >Deborah Kiphart - Partial edge of Falcon Dr. is very short. Have to wait through a light in the mornings. More traffic on 152nd is already heavy and is worried about the kids due to increased traffic. Problem with the height. Does not believe the area can handle the project.
- >Caroll Brahm - Lives in PebbleCreek. Does not want a huge complex on small lot. Goodyear does not need another multi-family project. Turning into a transient community.
- >Erika Byse - First moved here 20 years ago and happy to get away from congestion in California. Does not want an urban environment and wants to maintain a bedroom community. The assisted living facility should not have been allowed to be 47 feet in height. Apartments walkable to Millinien High School is not good.
- >James Smart - Concerned about traffic. Falcon Dr. needs to change, but does not see how you can widen it. Concerned with traffic and safety of the children. Shopping center area would be better for this. No public transportation comes out this far to relieve traffic.
- >Leah Hudson - A three story building will stick out. The retirement community (assisted living) sticks out. Traffic is a concern. Elementary school traffic is already busy; it will be a mess. Not the right situation for our area.
- >Gregg Wallis - Walk a lot to the park and around the area. Expressed that the views will be obstructed, lack of privacy, and crime will increase. Loves the view and neighborhood as it is now and doesn't want it to change.
- >John Field - Feels that we have a beautiful growing community. Believes we should share our community and that this project will be a nice addition to this location. Will not create a transient community and will bring good people to the area.
- >Tyler Fobes - Goes to Western Sky Middle School. Has 47 kids in class and is concerned about increasing class sizes further. Wonders where the kids will go.
- >Daniela Isbell - Concerned about traffic as accidents happen on regular basis.
- >Carrie Strand - Traffic concerns. Won't let child go across Falcon Dr. now due to traffic and speeding. Gated access to the park is mentioned on the website. Property value will drop due to density.
- >Deborah Crabill - Reiterate that only two stories were expected. Traffic impacts, pollution, lighting, and obstructed views concerns. Also, concerned for elementary school child safety.
- >Domenick Passio- Concerned about height, traffic and does not see how it will fit on Falcon Dr. 152nd is already a traffic nightmare. Concerned about obstructed views. Lived in Goodyear for 10

years and chose Goodyear for family values and great schools.

Engineering Director Rebecca Zook was asked to address traffic concerns. Ms. Zook stated that the Engineering department has not yet reviewed a traffic study. We are in a zoning case and the area is already zoned for 288 units. At this point, the traffic study is not required. This will be reviewed at site plan and all of the information will be reviewed to ensure all city standards are met. Ms. Zook appreciates all the comments tonight and concerns will be taken into consideration when the study is reviewed.

Commission Questions and Discussion:

>**Asked if the site plan will come before the commission.** Planning Manager Katie Wilken stated that the site plan process is administrative. Some zoning cases do require a traffic study, but this did not because the land use did not change. The maximum number of units is not increasing, so the zoning did not warrant a study. The site plan will require it.

>**Asked what the setback for amenities will be.** - Mr. Careccia stated that the amenities will be within the 30 ft. setback. A block wall will surround the property and a wrought iron fence will be along the open area.

>**Asked about the emergency response times.** Mr. Careccia stated that the police department simply indicates whether or not the beat can handle a project. The fire department study was conducted within the past few months. Development Services Director Baker added that the police department is part of the Development Review Committee (DRC) and will bring up concerns, if warranted. Staff also works with outside agencies such as the schools and Luke AFB.

>**Asked if the product is mixed with two and three story.** The applicant stated that the three story lofts are shorter than the two story single family homes. All internal apartments are three story. Also, mentioned that there will be a right turn lane into the complex.

Chairman Bray asked if there was any further public comment. The following 4 Goodyear residents spoke:

>Erik Johnson - Expressed concern about the east side of the project and the ability for emergency responders to access the property.

>Doug Fried - Concerned about traffic and wanted to know if this is already a done deal.

>Anna Rudd - Concerned about wrought iron fence since high school students have bent the assisted living fence and cut through the property. Stated that this project will cause a busy neighborhood.

>Susan Toerber - The zoning is 15 years old and the community has changed to be family oriented. There is plenty of other land for this and single story would fit better.

There being no further public comment, Chairman Bray closed the public hearing at 7:36 p.m.

Chairman Bray explained to the audience that the commission is an advisory committee. The case will be heard before the City Council regardless of the recommendation. Mr. Baker stated that the council meeting will be held on Jan. 28th at 6 p.m. at the same location. Chairman Bray indicated that the traffic study will be done at the appropriate time in the process, but a copy can be obtained when available. Chairman Bray asked for a motion on the case.

MOTION BY Commissioner Keys, SECONDED BY Commissioner Molony, to NOT RECOMMEND APPROVAL for case 18-210-00007 AMENDMENT TO THE PALM VALLEY PHASE V PLANNED AREA DEVELOPMENT (AVIVA GOODYEAR) .

Commission Discussion:

- >Clarification on point of order for the discussion.
- >Concerns about class sizes and density.
- >Thanked applicant for interest in Goodyear.
- >Wants to see a project more fitting for this community.
- >Concerns about density.
- >Concerns about view obstructions.
- >Goodyear year should grow responsibly and keep Goodyear beautiful.
- >Traffic concerns.
- >Interested in curbing the height; staying with the current height allowed.
- >Discussed changing the motion to address the height instead of not recommending (Mr. Baker advised the Commission on how to rescind the motion in order to move forward with a new motion addressing each amendment).
- >Would like a compromise with height and aesthetics.
- >Mr. Baker advised the commission that questions to the applicant and staff can occur without reopening the public hearing.
- >Believes this is a beautiful project, but traffic and the elementary school is a concern and maybe the case should be tabled until a traffic study is complete.
- >Mr. Baker informed the Commission that the traffic study is not required because it is zoned and entitled for the 288 units. What is being considered tonight are the amendments. As pointed out by Engineering, it is to be completed and reviewed at site plan.
- >Chairman Bray suggested adding the traffic study as a requirement for the site plan to the motion even though it will be done as required.
- >Vice Chairman Barnes stated that the amendments are the only items that are being voted on; only amendment he is concerned with is the height increase.
- >Suggested rescinding the current motion and have a new motion to approve, but remove the height amendment.

MOTION BY Commissioner Keys, SECONDED BY Commissioner Molony, to RESCIND the MOTION TO NOT RECOMMEND APPROVAL for case 18-210-00007 AMENDMENT TO THE PALM VALLEY PHASE V PLANNED AREA DEVELOPMENT (AVIVA GOODYEAR) . The motion was carried by the following vote:

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

Excused 1 - Commissioner Walters

Commission Discussion:

Discussion revolved around how to reduce the height in the motion back to the currently approved

height. Staff suggested reviewing the five amendments to determine which amendments to change. After reviewing the amendments and motion language attempt, staff suggested simply striking the height amendment (stipulation #4 in the ordinance). Asked for language requiring the traffic study.

MOTION BY Commissioner Keys, SECONDED BY Commissioner Kish, to recommend APPROVAL for case 18-210-00007 AMENDMENT TO THE PALM VALLEY PHASE V PLANNED AREA DEVELOPMENT (AVIVA GOODYEAR), striking stipulation number 4 and adding a stipulation that a traffic study be approved by the Engineering Department meeting all City standards prior to or in conjunction with site plan approval. The motion carried by the following vote:

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

Excused 1 - Commissioner Walters

9. STAFF COMMUNICATIONS

Development Services Director Christopher Baker reviewed the cases previously presented to the Commission that received approval from the City Council.

Staff is researching training opportunities for the commission members.

10. NEXT MEETING

Chairman Bray announced the next Planning and Zoning Commission meeting to be held on February 13, 2019 at 6 p.m. The meeting will be held at the Goodyear Municipal Court and Council Chambers, 14455 W. Van Buren St., Ste. B101, Goodyear, AZ 85338.

11. ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 8:06 p.m.

Respectfully Submitted By:

Heather Harris, Commission Secretary

Patrick Bray, Chairman

Date: _____