



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, May 8, 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 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer, and Commissioner Ellison

Absent 1 - Vice Chairman Barnes

Staff Present: Development Services Director Christopher Baker, Deputy City Attorney Sarah Chilton, Planning Manager Katie Wilken, Long Range Planner Joe Schmitz, Planner II Alex Lestinsky, and City Clerk Specialist Alissa Magley

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 Commissioner Steiner, to EXCUSE Vice Chairman Barnes from the meeting. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Vice Chairman Barnes

Chairman Bray welcomed Commissioner Ellison to the Planning and Zoning Commission.

Commissioner Ellison stated that he is a Goodyear resident of Palm Valley Phase 5 and is looking forward to being a part of the Commission.

4. MINUTES

- 4.1 [P&Z MIN 05-2019](#) Approve draft minutes of the Planning and Zoning Commission meeting held on April 10, 2019.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Kish, to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on April 10, 2019.

The motion carried by the following vote:

Ayes 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Vice Chairman Barnes

5. PUBLIC COMMENTS

None.

6. DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

7. OLD BUSINESS

None.

8. NEW BUSINESS

8.1 [18-210-00005](#) DEROSIER RANCH PAD

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

Staff has requested that this item be continued to the June 12, 2019 meeting.

There was no public comment.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Kish, to CONTINUE Case 18-210-00005 DEROSIER RANCH PAD to the Planning and Zoning meeting to be held on June 12, 2019 at 6:00 p.m. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Vice Chairman Barnes

8.2 [19-200-00006](#) REZONE OF CITY-OWNED LANDS AT AND AROUND THE 157TH AVENUE WATER RECLAMATION FACILITY TO THE PUBLIC FACILITIES DISTRICT WITH A FINAL PAD DISTRICT OVERLAY

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

Long Range Planner Joe Schmitz presented the request to recommend rezoning 155 acres of land located at and around the existing 157th Avenue water reclamation facility. The city of Goodyear

owns approximately 155 acres at and around the 157th Avenue Water Reclamation Facility at 4980 S. 157th Avenue. The majority of the property is already zoned Public Facilities District (PFD), except for about 30 acres that was acquired in 2018 for a new surface water treatment facility. The city is proposing to rezone the entire 155-acre site to the Public Facilities District with a Final PAD District Overlay to legitimize the existing vehicle maintenance use; allow use of the newly acquired property for the surface water treatment plant; and modify certain PFD development standards related to height, fencing and landscaping to allow use of chain link fencing at certain locations and construction of a wireless communications tower up to 60 feet tall. Development of the property will be in compliance with the PFD regulations and standards, except as modified by the proposed Final PAD District Overlay Development Regulations.

It was determined that it would be advantageous to rezone the entire 155 acres at this time to the same zoning district to address some discrepancies in the existing zoning and to facilitate future development of other portions of the property. The purpose of the rezoning is to consolidate the zoning for the city's properties, ratify the vehicle maintenance use that requires a Use Permit, and adopt a Final PAD District Overlay that will modify some of the PFD development standards with regard to height, landscaping, and fencing.

Mr. Schmitz provided an overview of the proposed surface water treatment plant. The subject property is not located within the vicinity of a military airport. Notice was provided to Luke AFB and they have indicated that given the location of the subject property, base operations will not be adversely impacted by this proposed increase in height. The subject property is located within the Phoenix-Goodyear Traffic Pattern Airspace and the 60 to 70 DNL noise contour. The property also is below the runway centerline extended. Notice was provided to the City of Phoenix Aviation Department and planning staff expressed a concern about the modification to increase building height from 40 feet to 60 feet. They also questioned whether any of the facilities will have open water or any other storage that might attract birds. The Aviation Department was advised that there would be no open water facilities other than the filter basins, which are fairly small in size, and there would be no open storage of any kind that would attract birds. The location of any future communications tower would be coordinated with the Phoenix-Goodyear Airport and FAA through the filing of a FAA Form 7460-1 which prompts the evaluation of a proposed construction to determine if it will be an obstruction to navigable airspace. Given the nature of the uses and location of the property, airport operations will not be adversely impacted by this proposed increase in height.

Staff finds that the rezoning requested for the city of Goodyear Public Facilities Campus to allow the construction of a new surface water treatment facility is in conformance with the General Plan and will not adversely affect the surrounding area.

The applicant, the city of Goodyear Public Works Department, is available for Commission questions.

Resident Tom Swan asked what is going to happen at the water treatment plant and what will be involved, such as water, sewage etc. Environmental Services Manager Barbara Chappell stated the location and purpose of the current facilities. The proposed facility will take surface water from the

Salt River Project (SRP) delivery system and will start the treatment process. Ms. Chappell explained that the water treatment plant will be take surface water and create potable drinking water. The solids will be hauled off to a landfill.

The Commission recognized that this surface water treatment plant will provide Central Arizona Project (CAP) benefits to the residents. Ms. Chappell stated that Goodyear has been using CAP water indirectly by recharging in the ground outside of the city. This will allow Goodyear to get the full use of that water resource.

The Commission questioned what the property will be used for directly north of the proposed facility. Ms. Chappell said that directly north is the proposed SR30 alignment. Mr. Schmitz explained that the land above the SR30 is owned by SunMP and is Industrial zoning under a PAD overlay called Estrella Commerce Park. The property to the west was part of Riverside Park, a preliminary PAD that was not finalized. The eastern half of that PAD was designated as Business Park.

The Commission asked if there is any residential planned in this area. Mr. Schmitz confirmed there is no residential planned anywhere near this area.

There being no further public comment, Chairman Bray closed the public hearing at 6:19 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 19-200-00006 REZONE OF CITY-OWNED LANDS AT AND AROUND THE 157th AVENUE WATER RECLAMATION TO THE PUBLIC FACILITIES DISTRICT WITH A FINAL PAD DISTRICT OVERLAY. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Vice Chairman Barnes

8.3 [18-500-00020](#) **PRELIMINARY PLAT FOR CAMELBACK CENTER AT PV303**

Planning Manager Katie Wilken presented the request for a Preliminary Plat for Camelback Center at PV303. Camelback Center is located at the southeast corner of Camelback Road and Pebble Creek Parkway. The subject property is a part of the PV303 Planned Area Development and was last amended on June 25, 2018. The preliminary plat proposes subdividing 135.59 acres into two lots - Lot 1 at 58.94 acres and Lot 2 at 77.65 acres. The subdivision is intended to facilitate the development of light industrial uses on the property in accordance with the PV303 PAD.

Applicant Dennis O'Neil of Sunbelt Investment Holdings was available for Commission questions.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Kish, to recommend APPROVAL for Case 18-500-00020 PRELIMINARY PLAT FOR CAMELBACK CENTER AT PV303. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Vice Chairman Barnes

8.4 [18-500-00015](#) **PRELIMINARY PLAT FOR ESTRELLA PARCELS 9.22 AND 9.24 A&B**

Planner II Alex Lestinsky presented the request to recommend approval of the Preliminary Plat for Estrella Parcels 9.22 and 9.24 A&B. This parcel consists of approximately 53 acres subdivided into 111 single family detached residential lots and 17 tracts. The typical lot within the subdivision will be 65-feet wide and 125-feet deep.

The property is adjacent to the Rainbow Wastewater Reclamation Facility. There is a requirement that without noise and odor controls, residential development is only allowed outside of a 1,000 foot setback. If noise and odor controls are implemented, residential development can take place at a 350 foot setback. Staff has worked with the applicant to stipulate that the noise and odor controls will be installed by the applicant at the time the facility is expanded, as well as installation of signage to inform future property owners of future build-out. The preliminary plat is consistent with the land use, development standards and density approved by the Montecito PAD Amendment. The preliminary plat is consistent with the technical requirements of the city's Subdivision Regulations.

Staff is requesting that the Commission recommend approval of the Preliminary Plat with a language update to stipulation 2.

The Commission had questions about the kind of language that needed to be changed within the stipulation. Ms. Lestinsky explained that the Ordinance would not need to be updated. Planning Manager Katie Wilken stated that rather than referring to a separate Ordinance, the stipulation will include that the odor controls will be done with the Phase II improvements. The language would clarify that the odor controls would not need to be done with the subdivision but rather the expansion of the water reclamation facility.

The Commission questioned what the standard is regarding residential areas near water reclamation facilities as there was an issue in the past regarding a similar situation. Development Services Director Christopher Baker explained that Arizona State law requires certain buffers between residential and water reclamation facilities. Mr. Baker stated that what the Commission may be referring to was a treatment facility owned and operated by Liberty Utilities. Construction that was completed approximately a year ago has eliminated any noise or odor issues from Liberty's facility. The noise and odor control for the current project is the developer's responsibility, but is a city-maintained project. An expansion of the facility would need to be engineered when approaching maximum capacity, but the trigger for that has not been met.

Applicant Pete Teiche from Newland Communities explained the limitations of the facility. The facility has a capacity of 750,000 gallons per day and when 80% capacity has been reached, design must be started. At 90% capacity, construction must commence. Currently the facility is at 400,000 gallons per day.

MOTION BY Commissioner Kish, SECONDED BY Commissioner Steiner, to recommend APPROVAL of Case 18-500-00015 PRELIMINARY PLAT FOR ESTRELLA PARCELS 9.22 AND 9.24 A&B, and allowing staff the drafting authority to change stipulation 2 while still keeping the intent of the original stipulation. The motion carried by the following vote:

Ayes 6 - Chairman Bray, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 1 - Vice Chairman Barnes

9. STAFF COMMUNICATIONS

Development Services Director Christopher Baker reviewed City Council outcomes for cases previously presented to the Commission. Mr. Baker stated that staff will be sending the commissioners a draft agenda regarding training. There will be two meetings in June. June 12th is the regularly scheduled meeting and is anticipated to be quite lengthy. There is also a Joint Worksession with City Council scheduled for June 26th at 6:00 p.m. This will be focused on the Civic Square PAD project, which is the partnership the city is forging with the Globe Corporation to include City Hall, commercial and residential projects. After the Worksession there will be a Special Planning and Zoning Commission Meeting.

10. NEXT MEETING

The next Planning and Zoning Commission Meeting will be held on June 12, 2019 at 6:00 p.m. at the Goodyear Municipal Court and Council Chambers.

11. ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 6:38 p.m.

Respectfully Submitted By:

Alissa Magley, City Clerk Specialist

Patrick Bray, Chairman

Date: _____