



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, October 16, 2019

6:00 PM

Goodyear Municipal Court and Council
Chambers
14455 W. Van Buren St., Ste. B101
Goodyear, AZ 85338

AGENDA AMENDED ON OCTOBER 15, 2019

Item 5. added

CALL TO ORDER

Chairman Bray called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer, and Commissioner Ellison
Absent 2 - Vice Chairman Barnes, and Commissioner Kish

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

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

MINUTES

1. [P&Z MIN 12-2019](#) Approve draft minutes of the Planning and Zoning Commission meeting held on September 25, 2019.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Molony, to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on September 25, 2019. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

PUBLIC COMMENTS

None.

DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

PUBLIC HEARINGS

2. [19-700-00002-2](#) **MINOR GENERAL PLAN AMENDMENT - PERRYVILLE & SOUTHERN AREA**

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

Long Range Planner Joe Schmitz presented the request for a Minor Amendment to the Goodyear 2025 General Plan for the Perryville & Southern Area by revising the alignment of the Loop 303 and SR30 freeways to reflect the location depicted in the Final Location/Design Concept Report prepared by the Arizona Department of Transportation. The future freeways were shown in the same general location on the Land Use and Transportation Plan Map in the Goodyear 2025 General Plan, but the location of these freeways was further refined by the L/DCR and environmental documents.

The current alignment for these freeways shown in the Goodyear 2025 General Plan reflects the freeways as needing approximately 87 acres, while the new alignments are anticipated as requiring as much as 306 acres due to a more detailed depiction of the right-of-way needed for the new traffic interchange. The property underlying the ROW will still carry a land use designation in case the alignment moves as construction plans are developed.

A public hearing was held on this proposed Minor General Plan amendment on September 25, 2019 at the Las Brisas Academy. Notice of that public hearing was published in the Southwest Edition of the Arizona Republic on September 6, 2019. Signs were posted on the property at two locations on September 9, 2019 and postcards advising the owners of the property affected by this proposed amendment and those within 500 feet, were mailed on September 6, 2019. This is the second public hearing on this matter. A second public hearing is not required for a Minor General Plan Amendment, but because of its relationship to the proposed Major General Plan amendment, it was determined that it would be appropriate for this request to be heard at the same time as the Major General Plan amendment.

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

MOTION BY Commissioner Molony, SECONDED BY Commissioner Ellison, to recommend APPROVAL for Case 19-700-00002-2 MINOR GENERAL PLAN

AMENDMENT - PERRYVILLE & SOUTHERN AREA. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

3. [19-700-00003](#) **MINOR GENERAL PLAN AMENDMENT - GROWTH POLICY TEXT**

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

Long Range Planner Joe Schmitz presented the request for a Minor Amendment to the Goodyear 2025 General Plan to amend the text in Policy d., to Objective GD-2-2 of Chapter 5, Physical Growth and Development, to allow the rezoning land to higher intensities outside of designated growth areas provided an plans for the development of infrastructure needed to serve the development are in place with the rezoning and its implementation guaranteed.

During the collaboration in creating the General Plan, cost of development, smart growth policies, and water resources were important topics of discussion for the General Plan Committee. In an effort to reduce costs of development, including maintenance and operation costs for the city, the General Plan Committee recommended the following policy: Discourage rezoning land to higher intensities outside of the growth areas until infrastructure planning is in place and necessary resources are available.

At a work session on January 29, 2018, City Council discussed how Policy d. would be applied to proposed development in the area Goodyear south of Pecos Road. It was determined that based on this policy, staff would not recommend approval of rezoning in areas that don't have infrastructure planning in place nor resources available identified in the Integrated Water Master Plan and the Infrastructure Improvement Plan. Council provided clear direction that through development agreements and developer funded amendments to infrastructure plans, the infrastructure planning could be established concurrently with rezoning actions and that resources could be identified before platting or site planning processes.

City Council provided policy direction to staff that the city encourages development in order to attract services and amenities that are desired by residents. In order to implement the City Council's direction, it is recommended that Objective GD-2-2, Policy d. be revised as follows: Discourage rezoning land to higher intensities until infrastructure planning is in place and necessary resources are available, unless a plan to develop the infrastructure necessary to adequately serve the area is identified during the rezoning process and its implementation in a timely manner is guaranteed by appropriate stipulations and development agreements.

The proposed change makes it clear that development outside of the designated growth areas is not prohibited, but is likely to require additional planning effort and appropriate guarantees by the owner of land proposed for development.

Commission asked whether the directive to review this policy came from Council. Mr. Schmitz confirmed that Council had asked for a review of this policy.

Commission asked if there was a specific project that could be used as an example for this policy. Mr. Schmitz explained that Rainbow Valley Road and Pecos Road alignment could be used as an example. The infrastructure planning did not cover that area and from a staff perspective there were concerns raised during the review. The project has moved forward with the language that is represented in this amended policy.

Commission commented on the restrictive nature of the policy. Mr. Schmitz explained that this amendment would make the policy less restrictive.

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

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 19-700-00003 MINOR GENERAL PLAN AMENDMENT - GROWTH POLICY TEXT. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

4. [19-700-00001-2](#) **MAJOR GENERAL PLAN AMENDMENT - LAKIN PARK AREA**

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

Long Range Planner Joe Schmitz presented the request for a Major Amendment to the Goodyear 2025 General Plan for the Lakin Park Area consisting of 2,283 acres located south and east of MC85, west of Sarival Avenue and north of the Gila River. The current Land Use and Transportation Plan was adopted in 2014 with the approval and ratification of the Goodyear 2025 General Plan. The Plan designates the majority of the Lakin Park Area as Traditional Neighborhoods with the remainder of the area designated as Scenic Neighborhoods. This proposed Major General Plan Amendment would change most of the residential land use categories in this area to non-residential categories in the vicinity of the planned Loop 303 and SR30 freeways which are expected to traverse this area. This Major General Plan Amendment is being proposed by the staff of the Development Services Department, in cooperation with some of the major landowners in this area, to encourage development of non-residential uses adjacent to the future freeways. It will also revise the alignment of the Loop 303 and SR30 freeways to reflect the location depicted in the Final Location/Design Concept Report prepared by the Arizona Department of Transportation.

At the same time, applications have been submitted by the owners of the Lakin property and the Goodyear 82 property proposing to rezone their lands to industrial and commercial zoning districts

that would be consistent with the Industrial and Business & Commerce land use categories proposed in this Major General Plan Amendment.

Most of the property that is located in the city in this area is zoned AU, Agricultural Urban, district, and most of the property located in the county in this area is zoned RU-43 Rural.

This Major Amendment is being proposed in cooperation with several property owners within the amendment area. More specifically, the Lakin Cattle Company owns approximately 750 acres along both sides of Cotton Lane between MC85 and the Gila River. This owner is working with Quantum Capital to develop the property and had filed a rezoning request with the city in December of 2018. At about the same time, the owners of 82 acres of land - formerly part of Riverside Park - filed a rezoning request for their property.

After discussions with the property owners, it was proposed that the current land use designations of these properties be changed from residential to non-residential land uses, and the city would prepare and process a proposed Major Amendment to the General Plan that would be necessary to implement these changes.

The proposed Major Amendment would change most of the lands currently designated for residential land use categories to non-residential land use categories. This change is being proposed due to the fact that the Location/Design Concept Report for the Loop 303 was recently completed by ADOT and identified the planned alignment for these freeways, as well as the location of the future Traffic Interchange for the Loop 303 and SR30. It is believed that non-residential land uses would be more compatible with the future freeways.

The amount of land previously proposed for Scenic Neighborhood would be reduced by 742 acres from 880 to 138 acres. Most of this change removes land from the Scenic Neighborhood designation and designates it Open Space due to its location in the floodway of the Gila River. Likewise, the amount of land proposed for Neighborhood will be reduced by 627 acres from 742 to 115 acres. This reduction is primarily due to a change from residential uses to non-residential uses along the planned SR30 freeway corridor. The amount of land that is proposed for the Business & Commerce land use category will increase by 256 acres from 41 to 297 acres. The land proposed for inclusion in this category is located south of the north line of the electric transmission line corridor that crosses this area and the southern boundary of the Lakin property. The Industrial land use category is being proposed for 685 acres located south of MC85 and north of the electric transmission line corridor from Sarival Avenue to the Loop 303 Outfall Channel. The Industrial land use designation is being recommended for this area because of its proximity to the planned freeways and MC85 and access to natural gas and electric power.

Resident Tamara Koster asked about the freeway alignment and the location of the interchange. Ms. Koster commented that she lives right next to where the freeway is going to be located. Mr. Schmitz

explained that the city received the drawings from ADOT and that the project has been pushed back.

There being no further public comment, Chairman Bray closed the public hearing at 6:31 p.m.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Ellison, to recommend APPROVAL for Case 19-700-00001-2 MAJOR GENERAL PLAN AMENDMENT - LAKIN PARK AREA. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

Commission and City staff presented Long Range Planner Joe Schmitz with a commemorative stop sign and books to thank him for his time with the City. Mr. Schmitz is retiring and this is his last Commission meeting after 14 years with the City.

5. [18-200-00014](#) **LAKIN PROPERTY REZONE**

Chairman Bray opened the public hearing at 6:43 p.m.

Planner III Alex Lestinsky presented the request to rezone approximately 696 acres from Agricultural Urban (AU) to a mix of Commercial, Industrial, and Multi-family uses, creating the CP Lakin Park Planned Area Development (PAD). The General Plan Land Use Plan designates the majority of the subject property as 'Traditional Neighborhoods', the remainder of the subject property is designated as 'Scenic Neighborhoods'. A staff initiated major General Plan Amendment is being processed concurrently with this rezone in order to designate the majority of the property Industrial and the remaining area Business & Commerce. The property is currently zoned Agricultural Urban and is adjacent to the Highway 85 (MC 85) to the north and the Gila River to the south.

The request is to rezone approximately 696 acres of land currently zoned Agricultural Urban (AU), to a mix of Industrial, Commercial, and Multi-family with a PAD Overlay. Specifically, the rezone request proposes:

- Approximately 645 acres of industrial use
- Approximately 15 acres of multifamily use
- Approximately 35 acres of flex zoning areas located along Cotton lane at the north end of the property which can be developed as commercial or industrial.

There being no public comment, Chairman Bray closed the public hearing at 6:44 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Clymer, to recommend APPROVAL for Case 18-200-00014 LAKIN PROPERTY REZONE. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

6. [19-630-00005](#) **HARLEY-DAVIDSON COMPREHENSIVE SIGN PACKAGE AND USE**
[&](#) **PERMIT**
[19-300-00007](#)

Chairman Bray opened the public hearing at 6:45 p.m.

Planning Manager Katie Wilken presented the request for approval of a comprehensive sign package and use permit to allow a freeway pylon sign for Harley-Davidson. A proposal for a new freeway pylon sign requires the existence of a Comprehensive Sign Package and approval of a Use Permit in accordance with Zoning Ordinance provisions adopted in 2006. The proposal is for a single-tenant freeway pylon sign for Roadrunner Harley-Davidson. The sign is proposed to locate at 402 N. 159th Avenue which is on the north side of I-10, just west of the 159th Avenue alignment. The site is 65-feet tall and internally illuminated.

The Zoning Ordinance requires that a property contain at least 30 acres, have 1,000 feet of freeway frontage, and have a minimum separation of ½ mile between freeway pylon signs in order to prevent over concentration or improper placement. The subject property includes about 6.2 acres of land and 700-feet of frontage adjacent to the freeway. The proposed sign is located about 2,400 linear feet from an already approved sign at PebbleCreek Marketplace and so is short the requirement by about 225 feet. The applicant is requesting a deviation from these design standards.

Furthermore, the future development to the west known as Sarival East, would likely request a freeway pylon sign. The Sarival East development meets the size and freeway frontage requirement and would meet the separation requirement from the approved PebbleCreek Marketplace freeway pylon sign. Approval of the Harley-Davidson sign would cause the Sarival East development to not be able to meet the ½ mile separation design standard. It is recommended that if this sign is approved, the Sarival East development be allowed to also deviate from this standard. If approved, this would have the effect of having three freeway pylon signs along this stretch of I-10 (from Sarival Avenue to PebbleCreek Parkway).

In evaluating the Harley Davidson freeway pylon sign, extraordinary conditions have been found to exist. The majority of property along I-10 is part of commercial centers. This parcel is a stand-alone development for Harley-Davidson. It is not typical that a stand-alone commercial parcel be allowed a freeway pylon sign, which is part of the reason the minimum development size is 30 acres. However, it is important to note that Harley Davidson has a similar economic impact as a commercial center 30 acres in size. Harley Davidson corporate franchising requirements does not allow the local Harley Davidson dealer to put the Harley Davidson logo on a multi-tenant freeway pylon sign.

Commission asked if the adjacent property owner was sent notice. Ms. Wilken confirmed that notice was sent to the property owner.

There being no public comment, Chairman Bray closed the public hearing at 6:51 p.m.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Ellison, to recommend APPROVAL for Case 19-630-00005 & 19-300-00007 HARLEY-DAVIDSON COMPREHENSIVE SIGN PACKAGE AND USE PERMIT. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

BUSINESS

7. [19-500-00007](#) **PRELIMINARY PLAT FOR ABEL RANCH**

Planner III Alex Lestinsky presented the request of a Preliminary Plat for Abel Ranch, subdividing approximately 217 acres into 451 lots and 35 tracts. The subdivision will be accessed from two entry points along Citrus Road and one off of Camelback Road. The preliminary plat is consistent with the development standards established with the city of Goodyear Single Family Residential (R1-6) and Agricultural Urban (AU) zoning districts. The proposed subdivision provides for the orderly development of the property by identifying the required infrastructure needed to serve the development.

Commission asked about the difference in lot sizes than other developers. Zach Hilgart, HilgartWilson, LLC, responded that the this was to maintain the correct density.

Commission asked if there was one builder for this project. Mr. Hilgart explained that there could be multiple.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Molony, to recommend APPROVAL of Case 19-500-00007 PRELIMINARY PLAT FOR ABEL RANCH. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

8. [19-630-00003](#) **AIRPORT GATEWAY AT GOODYEAR COMPREHENSIVE SIGN PROGRAM AMENDMENT**

Planner III Karen Craver presented the request for an amendment of the approved Airport Gateway at Goodyear Comprehensive Sign Program (CSP) submitted on behalf of the Cancer Treatment

Centers of America (CTCA) hospital to add approximately 40.33 acres to the CSP and to allow a CTCA off-premise monument sign on the 40.33 acres. The sign, to be located at the northwest corner of Litchfield Road and Celebrate Life Way, will be 20 feet high and 19 feet 9 inches wide and will depict the CTCA name and logo on the top half, and will provide four locations for tenants of future development to occur on the 40.33 acres. The sign is considered off-premise because although it is on property owned by CTCA, it is not on the actual CTCA hospital site. Off-premise signs are not typically allowed pursuant to the Sign Code. However, because the property is owned by CTCA, and CTCA has agreed to utilize the sign as a multi-tenant sign for future development on the 40.33 acres, the allowance of an off-premise sign in this case is supportable.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Steiner, to recommend APPROVAL for Case 19-630-00003 AIRPORT GATEWAY AT GOODYEAR COMPREHENSIVE SIGN PROGRAM AMENDMENT. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

9. [19-500-00011](#) **PRELIMINARY PLAT APPROVAL FOR ELWOOD LOGISTICS CENTER**

Planner III Karen Craver presented the request for a preliminary plat for Elwood Logistics Center consolidating eight (8) individual parcels totaling 84.54 acres into one lot. The applicant is requesting preliminary plat approval to consolidate eight (8) individual parcels, totaling 84.54 acres, into one lot in order to facilitate development of a 1,310,258 square foot speculative distribution warehouse facility, for which site plan approval was granted by staff on September 21st. Road rights-of-way and utility easements necessary to accommodate the 1.3 million sq. ft. facility will be dedicated during the final plat approval process.

Commission commented on the size of the building. Ms. Craver explained the Amazon distribution center to the west is just under 1,000,000 sq ft. When the property was rezoned, there were several neighborhood meetings. The Elwood Logistics owner agreed to depress the dock area so that all the trucks will be below the elevation of Elwood street. There will be a significant amount of landscaping and screening to include an 8' wall. This happened in 2013 when the PAD was approved.

Commission asked if this would be a single or multiple tenant development. Ms. Craver stated that it could be either and it could be built in phases. Commission asked if it was built in phases, would the applicant have to come back through the approval process. Ms. Craver explained that unless the applicant changed something, they would not need to come back to Commission and Council.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Molony, to recommend APPROVAL for Case 19-500-00011 PRELIMINARY PLAT APPROVAL FOR ELWOOD LOGISTICS CENTER. The motion carried by the following vote:

Ayes 5 - Chairman Bray, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

Excused 2 - Vice Chairman Barnes and Commissioner Kish

Chairman Bray recessed the meeting at 7:07 p.m.

Chairman Bray reconvened the meeting at 7:19 p.m.

10. [P&Z Training](#) Commission will receive a training from the Urban Land Institute.

Dean Brennan from the Project for Livable Communities presented a training for the Commission. Mr. Brennan reviewed:

- Why a Planning and Zoning Commission is necessary
- How to handle media contacts
- The role of Commission members
- Types of meetings
- Preparing to serve as the Chairman
- Fair balance for speakers at meetings
- Minimizing emotional public testimony

Commission, staff and Mr. Brennan discussed each of the topics.

STAFF COMMUNICATIONS

None.

NEXT MEETING

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

ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 8:15 p.m.

Respectfully Submitted By:

Alissa Magley, Commissioner Secretary

Patrick Bray, Chairman

Date: _____

