



City of Goodyear

See meeting location
below

Meeting Minutes

Planning & Zoning Commission

Wednesday, July 1, 2020

6:00 PM

Electronic Meeting through Microsoft Teams

AGENDA AMENDED ON JUNE 29, 2020

Item 5 and 6 added.

Due to the COVID-19 pandemic, this meeting will be held by video conference and is closed to the public.

Members of the public may participate in the following ways:

1. Submit questions and comments for the Commission at the meeting by

- Send an email to publiccomments@goodyearaz.gov.
- Comments should be limited to three minutes (approximately 380 words).
- Include the Agenda Item Number.
- Include your contact information.
- Include if you are a Goodyear resident.

2. View the meeting at www.facebook.com/goodyearazgov. You don't need a Facebook account to view the meeting.

3. Contact the Planning & Zoning Division any time prior to the meeting at gycdev@goodyearaz.gov.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer, and Commissioner Ellison

MINUTES

1. [P&Z MIN 23-2019](#) Approve draft minutes of the Planning and Zoning Commission meeting held on June 10, 2020.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Molony to APPROVE the draft minutes of the Planning and Zoning Commission Meeting held on June

10, 2020. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

PUBLIC COMMENTS

None.

DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

PUBLIC HEARINGS

**2. [19-210-00006A](#) HANCOCK COMMUNITIES AT CANYON TRAILS PAD
AMENDMENT**

Chairman Bray opened the public hearing at 6:05 p.m.

Senior Planner Alex Lestinsky presented the request to rename the PAD for property generally located at the southwest corner of the Van Buren Street and Cotton Road (the Loop 303 alignment), which was zoned PAD by Council on June 25, 2018 and amended by Council on April 22, 2019, from Christopher Todd Communities at Canyon Trails PAD to Hancock Communities at Canyon Trails PAD; to rezone approximately 27 acres of property to the south of the Christopher Todd Communities at Canyon Trails PAD that is currently subject to the Canyon Trails PAD II to include it within the Hancock Communities at Canyon Trails PAD (the "Property"); and to incorporate additional design guidelines for the property within the Hancock Communities at Canyon Trails PAD. This rezone would facilitate multi-family development on the subject property. The proposed Hancock Communities at Canyon Trails PAD will designate in total approximately 46 acres use as multi-family residential, specifically single family rentals.

Although being renamed, the development standards for the Christopher Todd Communities at Canyon Trails PAD approved on June 25, 2018 and amended on April 22, 2019 will remain the same except for the addition of additional supplemental design guidelines, which are being required in response to Council's guidance from the August 26, 2019 work session regarding single family rentals. The design guidelines require general conformance with conceptual elevations attached to the PAD, requires a minimum of three color schemes per theme, and prohibits flat roofs. The remaining development standards in the PAD are the same from the previous amendment.

During both the hearing before the Planning and Zoning Commission and the hearing before the City Council in January, 2020, the owners of the single family residences adjacent to the south boundary of the site expressed concerns about the condition of the existing perimeter wall on their property that is to be shared with the Hancock units as part of this rezone expansion. After discussions with staff, the

applicant agreed to pay for a wall study and delay the city's final consideration of the application until the study was complete. The city selected Michael Baker International as the 3rd party engineering firm to conduct the study and the applicant will reimburse the city for the cost of the study.

The adjacent property owners were notified by postcard of inspection dates and were given the opportunity to grant permission to the firm for entry into the backyards for further inspection on the inside of the wall. The wall was inspected on the entirety of the north side of the fence (the side adjacent to the Property and owners of three of the single family residences asked that the interior of the wall to be shared with the Property be inspected.

The city received the final study on June 12, 2020. The results identified that the wall is generally in good condition with no severe cracking, settlement or tilting. The predominant issues observed were the loss of paint and surface degradation on the bottom two rows of the blocks of the existing wall. The study advised keeping moisture away from the wall and grading the Property to slope away from the existing wall.

Paul Gilbert, representing the applicant, expanded on the wall study performed by Michael Baker.

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

MOTION BY Commissioner Molony, SECONDED BY Commissioner Ellison to Recommend APPROVAL for case 19-210-00006A HANCOCK COMMUNITIES AT CANYON TRAILS PAD AMENDMENT. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

3. [20-300-00002](#) **USE PERMIT FOR A DRIVE-THROUGH RESTAURANT**
(STARBUCKS AT LITCHFIELD ROAD & I-10)

Chairman Bray opened the public hearing at 6:13 p.m.

Senior Planner Alex Lestinsky presented the request for a Use Permit to allow a convenience use (drive-through restaurant) on a vacant parcel, located within Palm Valley Crossing at the southeast corner of I-10 and Litchfield Road. The surrounding quarter mile block consists of commercial and light industrial/automotive uses that may benefit from additional restaurant/drive-through options. The closest residential development is the Litchfield Shadows development approximately ½ mile east. The drive-through is located within a partially developed commercial center and is compatible with surrounding uses. 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. The drive-through restaurant is proposed on a parcel zoned for commercial use, adjacent to other commercially zoned parcels.

Nathan Cottrell, representing the applicant KDS Engineering, agreed with the staff recommendation.

There being no public comment, Chairman Bray closed the public hearing at 6:16 p.m.

MOTION BY Commissioner Clymer, SECONDED BY Commissioner Molony to recommend APPROVAL for case 20-300-00002 USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (STARBUCKS AT LITCHFIELD ROAD & I-10). The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

4. [20-300-00001](#) **USE PERMIT FOR A DRIVE-THROUGH RESTAURANT - PAD 1 AT ALDI**

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

Planning Manager Katie Wilken presented the request for a Use Permit request for a convenience use (drive-through restaurant) within the C-2, General Commercial Zoning District, located at the southeast corner of Estrella Parkway and Roosevelt Street, south of Interstate 10. The applicant is requesting a use permit to allow a drive-through use on a pad currently being constructed along with the Aldi Grocery Store.

The drive-through restaurant will share ingress and egress with Aldi, with a drive-through land on the north and west sides of the building. A pick-up window will be located on the west side and a patio on the south side. The elevations are complimentary to the Aldi grocery store. The pick-up window does face the arterial roadway but has been screened by a metal canopy, pony wall and landscaping.

The .686-acre pad site is of sufficient size and configuration to align with the approved access, traffic circulation, and parking for the Aldi Grocery Store currently under construction. 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. The drive-through restaurant is proposed on a parcel zoned for commercial use, adjacent to other commercially zoned parcels.

Jake Palmer, representing Accelerated Development Services, agreed with the staff recommendations and briefly reviewed the project.

There being no public comment, Chairman Bray closed the public hearing at 6:23 p.m.

Vice Chairman Barnes left the meeting at 6:24 p.m.

MOTION BY Commissioner Steiner, SECONDED BY Commissioner Ellison to recommend APPROVAL for case 20-300-00001 USE PERMIT FOR A DRIVE-THROUGH RESTAURANT - PAD 1 AT ALDI. The motion carried by the following vote:

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

Absent 1 - Vice Chairman Barnes

5. [20-220-00003](#) **ZONING ORDINANCE TEXT AMENDMENTS**

Vice Chairman Barnes returned to the meeting at 6:28 p.m.

Chairman Bray opened the public hearing at 6:25 p.m.

Planning Manager Katie Wilken presented the request to amend the city of Goodyear Zoning Ordinance. The City of Goodyear Zoning Ordinance reflects the current needs and desires of the City and its citizens in regulating current and future development. However, older residential portions of the City, such as Historic Goodyear, were developed under previous versions of the Zoning Ordinance, which included different development standards. Meeting modern development standards in an older neighborhood can be a challenge and limit the use and enjoyment of the home. The amendments that reference subdivisions built before 1975 will affect Historic Goodyear, Litchfield Manor, and Goodyear Estates. The purpose of the update to the Zoning Ordinance is to provide residents in older neighborhoods with similar opportunities as residents in newer neighborhoods, while protecting the health, safety, and welfare of the neighborhood. There are two proposed changes to the Zoning Ordinance.

First is an amendment to Article 8 (General Provisions) regarding projections into the front yard setback within certain neighborhoods. Most of the homes in older neighborhoods were built with a one-car garage and some of those garages have been converted to living spaces over the years, leaving the home with no covered parking. Because of development patterns and required front yard setbacks, the residents of homes in these areas can have a challenging time providing covered parking for their cars. The proposed text amendment would allow unenclosed shade structures, i.e., carports, to project into the required front setback on residential lots within subdivisions recorded prior to 1975 including "Historic Goodyear", Litchfield Manor and Goodyear Estates subject to specific design standards. This will allow a resident to provide covered parking for vehicles on their driveway. This will promote parking in the driveway rather than the street and will also encourage residents to obtain building permits for these structures, since they meet zoning standards.

Second is an amendment to section 5-2-2 regarding requirements for fences and walls. Under the current City of Goodyear Design Guidelines, chain link fences are not allowed unless specifically authorized in the Zoning Ordinance and the current Zoning Ordinance allows open wire fencing (hereinafter referred to as "Chain Link Fences") only in certain circumstances, and they are not currently permitted in residential districts. The proposed revisions to section 5-2-2 incorporates the prohibition against Chain Link Fences in the Design Guidelines into the Zoning Ordinance and then identifies where Chain Link Fences are allowed and standards applicable to such fences. Under the

proposed amendment to section 5-2-2, Chain Link Fences would be allowed in AG and AU zoning districts and in single-family residential lots with less than 20,000 square feet within subdivisions established prior to 1975. The proposed regulations would require Chain Link Fences in these older subdivisions to include opaque screening, obligate the owner to maintain the aesthetic quality of the fencing, replace any material that has degraded to become visually blighting, and not allow the use of fabric, tarpaulin, or similar non-rigid material for screening. The reason for allowing Chain Link Fences in older subdivision is because in the past, Chain Link Fences were permitted residential areas and many homes in older neighborhoods constructed Chain Link Fences. Many of the fences in the older subdivisions are in a state of disrepair. The amendments to section 5-2-2 permitting Chain Link Fences within these older subdivisions will encourage their repair and impose standards to enhance the aesthetic qualities of the fencing. This change will affect all subdivision established prior to 1975 including "Historic Goodyear", Litchfield Manor and Goodyear Estates.

In addition, the proposed revisions to section 5-2-2 expands the opportunities for Chain Link Fences around recreational facilities, which are currently limited to fencing around tennis courts to fencing around tennis courts or similar recreational facilities such as pickle ball courts. Use Permits will be required for Chain Link Fences around recreational facilities that are located within five hundred feet (500') of the nearest property line of any property zoned for single-family residential development or that exceed permitted heights.

The proposed regulations will also be adding a standard imposing a minimum distance of twenty feet between block walls. This applies city wide and is being proposed in response to the recent construction of a block wall that was only inches from an existing block wall.

There being no public comment, Chairman Bray closed the public hearing at 6:35 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Steiner to recommend APPROVAL for case 20-220-00003 ZONING ORDINANCE TEXT AMENDMENTS. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

6. [20-220-00004](#) **ZONING ORDINANCE TEXT AMENDMENTS**

Chairman Bray opened the public hearing at 6:36 p.m.

Planning Manager Katie Wilken presented the request to amend the city of Goodyear Zoning Ordinance. Arizona Revised Statutes 9-462.04 contains requirements for property owners who are to receive notices ("Protest Area") of a public hearing on zoning ordinances. The City of Goodyear adopted requirements in the zoning ordinance to comply with those requirements. Recently the Arizona Legislature adopted revisions to A.R.S. 9-462.04 to modify the Protest Area for proposed zoning amendments. Accordingly, the City of Goodyear needs to amend Article 1 Section 1-3-1 to conform to the current state requirements for the property owners who are to receive notices of a

public hearing on zoning ordinances.

Article 3 is being amended to add a new multi-family zoning district. Developers of multi-family projects within the city have been developing a new type of multi-family product. This new multi-family development typically consists of multiple detached and attached single family dwelling units on a single parcel of land. This product type is being developed by companies such as Avilla Homes and Christopher Todd Properties. Because of the new and unique style of these projects, the City of Goodyear would rezone parcels with these new developments to Planned Area Development rather than a multi-family zoning district within the Zoning Ordinance. In order to establish standards for this new type of development and reduce the reliance on Planned Area Developments, the city council directed staff to propose a new multifamily residential zoning district to allow for these types of developments.

Two provisions in Article 6 are being amended. The first provision being amended is section 6-2-2, which regulates residential vehicular access, including the maximum width of residential driveways in the front yard setback. The purpose of the amendment is to limit the amount of front yards that can be paved in order to ensure there is proper drainage and control the number of access points onto the street. The changes are required because in older neighborhoods, front yards have been modified by laying cement or other materials to accommodate additional parking in the front yard area and to reduce yard maintenance. However, parking in the front yard setback is limited to parking upon a driveway. The proposed amendment to section 6-2-2 is intended to: (i) limit the amount of paved surfaces within the front yard setback to no more than 50% of the required front yard setback area for any residentially zoned lot with the remainder of the lot being a pervious surface such as grass, soil, gravel or rock that absorbs or infiltrates water across the surface; (ii) to clarify that paved areas that are in excess of one hundred square feet in size and that are contiguous to a driveway are part of the driveway; (iii) to clarify that motor vehicles are not to be parked in a front yard except on a paved driveway; and (iv) to delete the current requirement that driveways be setback 3-feet from the property line.

The other provision in Article 6 that is being amended is Article 6-3 (Parking Design Standards). The Civic Square Project that will house the new City of Goodyear City Hall is to be constructed with a multi-story parking structure. There currently are no standards in the Zoning Ordinance for parking structures. Accordingly, an amendment to Article 6 of the Zoning Ordinance is being proposed to add section 6-3-4 (Parking Structures) adopting standards for parking structures.

Commission asked if these articles are being voted on together or separately. Chairman Bray clarified that this vote will be on all amendments presented together in this item.

There being no public comment, Chairman Bray closed the public hearing at 6:48 p.m.

MOTION BY Commissioner Molony, SECONDED BY Commissioner Clymer to recommend APPROVAL for case 20-220-00004 ZONING ORDINANCE TEXT

AMENDMENTS. The motion carried by the following vote:

Ayes 7 - Chairman Bray, Vice Chairman Barnes, Commissioner Kish, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

BUSINESS

7. [Activity Review](#) Development Services Yearly Activity Comparison. (Christopher Baker, Development Services Director)

Development Services Director Christopher Baker presented an overview of the Development Services Department activity within the last few years. This included data from Building Safety Division, Planning and Zoning Division, and Pre-application/Due Diligence meetings held within the department. Overall the data supported a steady increase in most submittals and inspections through the past several years.

Commission asked about the industrial square footage permitted within the last few years and whether there is a point in time when this might be cut off or considered too much for the time. Mr. Baker explained that most of the industrial development takes place on land already zoned for industrial. Staff does track how much available land is given for each land use so that there can be a mixture of uses, especially when there are changes to the general plan. The investment of industrial projects helps generate employment and tax base.

STAFF COMMUNICATIONS

None.

NEXT MEETING

The next meeting of the Planning and Zoning Commission will be held on August 12, 2020.

ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 7:06 p.m.

Respectfully Submitted By:

Alissa Magley, Commission Secretary

Patrick Bray, Chairman

Date: _____

