



## City of Goodyear

See meeting location  
below

### Meeting Minutes

#### Planning & Zoning Commission

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Wednesday, December 2, 2020

6:00 PM

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

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While Planning and Zoning Commission meetings are open to the public, the occupancy has been reduced to implement social distancing. Seating is generally available on a first come basis, but meeting attendees will be cycled in and out if necessary to allow for speakers to speak on certain agenda items.

If you wish to speak during a meeting, please complete a speaker's card so that we may ensure you are in the room for that item.

Face Masks are required and must be worn when moving throughout the building.

#### CALL TO ORDER

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

#### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Commissioner Ellison attended the meeting telephonically.

**Present** 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer, and Commissioner Ellison

**Absent** 1 - Commissioner Kish

**MOTION BY Commissioner Clymer, SECONDED BY Commissioner Molony to EXCUSE Commissioner Kish from the meeting. The motion carried by the following vote:**

**Ayes** 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

**Excused** 1 - Commissioner Kish

#### MINUTES

1. [P&Z MIN 30-2019](#) Approve draft minutes of the Planning and Zoning Commission meeting held on November 18, 2020.

**MOTION BY Commissioner Molony, SECONDED BY Commissioner Clymer to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on November 18, 2020. The motion carried by the following vote:**

**Ayes** 6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

**Excused** 1 - Commissioner Kish

**PUBLIC COMMENTS**

None.

**DISCLOSURE OF EX PARTE COMMUNICATIONS**

None.

**PUBLIC HEARINGS**

2. [20-300-00006](#) **USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (BOSA DONUTS AT PARKWAY VILLAGE)**

Chairman Bray opened the public hearing at 6:03 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 Parkway Village at the southwest corner of Estrella Parkway and Roosevelt Street. The subject property is part of the Parkway Village commercial center which is zoned General Commercial (C-2). 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.

Gary Johnson, representing the applicant, stated he agreed with the staff recommendation and was available for questions.

Dan Silveira, representing the Property Owners Association expressed concern regarding the flow of traffic as the exit is right at a stop sign for a high traffic lane. This could cause backups and accidents. The carwash located within the property has been busy and causes traffic.

Commission asked when these applications are evaluated if a traffic study is done.

Mr. Johnson explained that there is a heavier traffic flow pattern in the morning when the vast majority of business is conducted. The business is open from 6 a.m. to 10 p.m.

Development Services Director Christopher Baker explained that in the evaluation for a use permit,

impacts to city roadways, driveways and thoroughfares are looked at, but primarily to look at the queuing and roadways. The queuing requirement for a drive-thru is 5 vehicles.

Mr. Johnson explained that the queuing length for this project is approximately 10 queuing lengths or 165 feet.

Commission expressed concern over another project - Dutch Brothers on Indian School - that has caused a great deal of traffic for the commercial center it is located in.

Commission commented that the layout seems to be the best setup that they could have.

Commission stated that they hope the Property Owners Association and the applicant can work together in order to work out any issues.

Ms. Lestinsky presented the option to continue the item and have it go to Council in January. This would allow time for a review through the Engineering department but not necessarily hold up a vote from the Commission.

There being no further public comment, Chairman Bray closed the public hearing at 6:18 p.m.

**MOTION BY Commissioner Clymer, SECONDED BY Vice Chairman Barnes to RECOMMEND approval for case 20-300-00006 USE PERMIT FOR A DRIVE-THROUGH RESTAURANT (BOSA DONUTS AT PARKWAY VILLAGE). The motion carried by the following vote:**

**Ayes**      5 - Chairman Bray, Vice Chairman Barnes, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

**Nays**      1 - Commissioner Molony

**Excused**   1 - Commissioner Kish

**3.      [20-700-00001A](#)      MAJOR GENERAL PLAN AMENDMENT - WAGNER AREA**

Chairman Bray opened the public hearing at 6:20 p.m.

Senior Planner Alex Lestinsky presented the request for a Major Amendment to the Goodyear 2025 General Plan for approximately 430 acres generally located south of the southeast corner of Broadway Road and Bullard Avenue to amend the land use designation for the property from Traditional Neighborhood to Industrial and to revise freeway alignments.

The 430 acres subject to the General Plan amendment consists of approximately 240 acres owned by Robert Wagner and approximately 190 acres owned by Pioneer 2005, LLC and is generally located at the southeast corner of Broadway Road and Bullard Avenue (the "Property"). The Property is currently zoned AG, Agricultural. The General Plan Land Use Plan designates the land use for the Property as Traditional Neighborhood. The underlying zoning districts that correlate to the Traditional

Neighborhood land use designation in the General Plan include all of the residential zoning districts, the Planned Facilities District (PFD), the Commercial Office district (C-O) the Neighborhood Commercial district (C-1), the General Commercial district (C-2) and Planned Area Development district (PAD). However, these uses are no longer compatible with the surrounding area. The majority of the 190 acres of the Property owned by Pioneer 2005, LLC is subject to an Aggregate Mining Overlay, 500 kV transmission lines transverse through the 430 acres and the SR30 freeway has been sited through a portion of the Property. The land use designation in the General Plan for the property to the north of the anticipated SR 30 alignment, which is also owned by Robert Wagner, is Industrial. Given these conditions, the development of the Property as Industrial is more consistent with the goals, objectives and policies of the General plan.

Two public hearings are required before the Goodyear Planning and Zoning Commission for General Plan Amendments. The first was held on October 21, 2020; one person who owns adjacent property zoned I-2 spoke in favor of the proposed general plan amendment.

Ed Bull, representing the applicant, spoke in favor of the staff recommendation and was available for any questions.

There being no public comment, Chairman Bray closed the public hearing at 6:29 p.m.

**MOTION BY Commissioner Steiner, SECONDED BY Commissioner Clymer to RECOMMEND approval for case 20-700-00001A MAJOR GENERAL PLAN AMENDMENT - WAGNER AREA. The motion carried by the following vote:**

**Ayes**      6 - Chairman Bray, Vice Chairman Barnes, Commissioner Molony, Commissioner Steiner, Commissioner Clymer and Commissioner Ellison

**Excused**   1 - Commissioner Kish

#### **STAFF COMMUNICATIONS**

Development Services Director Christopher Baker explained that Commissioner Kish, Steiner and Ellison had terms that expire in February of 2021. They are all eligible for another term and advised to the process for reapplying.

Mr. Baker explained that the previous case seen before the Planning Commission on November 18th will be going to Council on December 14th.

Mr. Baker introduced Guadalupe Ortiz Cortez, new Assistant Planner, who has not attended a Planning and Zoning Commission meeting in person. Ms. Ortiz Cortez introduced herself, discussed her background and stated that she was very happy to be with the city of Goodyear.

#### **NEXT MEETING**

The next Planning and Zoning Commission meeting will be held on January 13, 2021 at 6 p.m. at the

Goodyear Municipal Court and Council Chambers.

**ADJOURNMENT**

There being no further business to discuss, Chairman Bray adjourned the meeting at 6:35 p.m.

Respectfully Submitted By:

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Alissa Magley, Commission Secretary

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Patrick Bray, Chairman

Date: \_\_\_\_\_