

DRAFT

**REGULAR MEETING OF THE PLANNING & ZONING
COMMISSION OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
10000 N. EL MIRAGE ROAD
6:00 PM - TUESDAY, AUGUST 10, 2021**

Minutes

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE** - Meeting was called to order at 6:01 pm.

2. **ROLL CALL**

Present: Martin Crosby, Commissioner Chairperson; Skip Ast, Commissioner Vice Chair; Bob Jones, Commissioner; Mariane Anderson, Commissioner; Leonard Gradillas, Commissioner

3. **APPROVAL OF MINUTES FROM THE PLANNING & ZONING COMMISSION MEETING HELD ON TUESDAY, JULY 13, 2021.**

Vice Chair Ast moved to approve the minutes of the July 13, 2021, Planning & Zoning minutes; seconded by Commissioner Anderson.

Vote: 4 - 0 Passed

Other: Commissioner Bob Jones (ABSTAIN)

4. **CALL TO THE PUBLIC**

An opportunity will be provided to members of the public to address the Planning and Zoning Commission on items not scheduled on the agenda that fall under the jurisdiction of the City of El Mirage Planning and Zoning Commission or on items on the agenda for discussion, but not for action. Members of the public shall not exceed a three-minute time period for their comments. At the conclusion of the Call to the Public, individual Commission Members may (1) respond to criticism made by those who have spoken, (2) direct staff to review or follow-up on the matter, and/or (3) direct that the matter be put on a future agenda.

No Call to the Public cards received.

5. **ACTION ITEMS**

Zoning items requiring review and Commission action.

1. A discussion and recommendation on a Zoning Application for a conditional use permit request for a Light Manufacturing Use in an Urban Corridor Zone located at 12420 W. Thunderbird Road, Arizona 85335 submitted by Angel R. Torres.

Chair Crosby opened the Public Hearing.

Senior Planner Macias presented the staff report and stated that staff has no objection to the proposed development but had the following stipulations:

1. The applicant shall address the Technical Advisory Committee (TAC) review comments stated in the June 24, 2021, memorandum with construction and civil plans submittals.
2. The applicant shall consent in writing to the following zoning stipulations:
 1. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the Conditional Use Permit procedure.
 2. All the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his or her successors or assigns.
 3. All conditions specifically stated under any conditional use listed in Zoning Code Chapter 154 shall apply and be adhered to by the owner of the land, his or her successors or assigns.
 4. All the special conditions shall be consented to in writing by the applicant.
 5. The proposed light manufacturing use shall not generate noise, vibrations, and odors that may become a nuisance to the public.
 6. No expiration date of the Conditional Use Permit is being proposed by staff; however, failure to meet and maintain these stipulations will result in revoking the Conditional Use Permit.
 7. Applicant will obtain and maintain a Business License.

Applicant Angel Torres was present to address the Commission Member's questions. Hearing no comments from the public, Chair Crosby closed the Public Hearing.

Vice Chair Ast moved to recommend approval for a conditional use permit for Light Manufacturing Use in an Urban Corridor Zone located at 12420 W. Thunderbird Road, Arizona 85335; seconded by Commissioner Anderson.

Vote: 5 - 0 Passed - Unanimously

2. A discussion and recommendation on a Religious Assembly Use Site Plan and Conditional Use Permit request to divert from the Thunderbird Road Overlay District located at 12625 W Thunderbird Road submitted by Radiant Church.

Chair Crosby opened the Public Hearing.

Senior Planner Macias presented the staff report and stated that staff has no objections to the proposed development. Applicant Richard Womack and Project Manager Joseph Osborn were present to address the Commission Member's questions.

Resident Elizabeth Harmless, 12902 W Wofley Drive, El Mirage, Arizona was in support of the project. Commissioner Jones expressed concerns about the homeless people who may be attracted with the services provided by the church.

Hearing no further comments, Chair Crosby closed the Public Hearing.

Vice Chair Ast moved to recommend approval on a Religious Assembly Use Site Plan and Conditional Use Permit request to divert from the Thunderbird Road Overlay District located at 12625 W Thunderbird Road; seconded by Commissioner Anderson.

Vote: 4 - 1 Passed

NAY: Commissioner Bob Jones

3. A Public Hearing, closure of Public Hearing followed by a discussion and recommendation on proposed text amendments to the City of El Mirage, Arizona Zoning Code, Land Use Volume 2, Chapter 154: Zoning Code and sections pertaining to the Rural Area Zoning District (Dysart Ranchettes).

Chair Crosby opened the Public Hearing.

Senior Planner Macias gave an overview of the zoning text amendment process. Resident Louis Reese, 12501 West Varney Road, stated that he did not have a chance to review the text amendments. Mr. Macias stated that he will make sure Mr. Reese gets a copy of the text amendment. Resident Elizabeth Harmless, 12902 West Wolfley Drive, stated that she opposes any change to the zoning codes.

Hearing no other comments from the public, Chair Crosby closed the Public Hearing.

Vice Chair Ast moved to recommend approval of the proposed text amendments to the City of El Mirage, Arizona Zoning Code, Land Use Volume 2, Chapter 154: Zoning Code and sections pertaining to the Rural Area Zoning District (Dysart Ranchettes); seconded by Commissioner Jones.

Vote: 5 - 0 Passed - Unanimously

6. **NEW BUSINESS** - Administrative items requiring Commission action.

No new business presented.

7. **DISCUSSION / PRESENTATION** - Non-action items for discussion and comment pertaining to Planning and Zoning Commission.

No non-action items were discussed.

8. **STAFF REPORT** - The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action.

City Engineer Jorge Gastelum informed the Commission members that a City Attorney representative will be attending the Planning and Zoning Commission meetings and Jon Paladini introduced himself from Pierce Coleman LLC as the attorney representative. Mr. Gastelum also stated that the weekly reports will be emailed from staff member Ella Brambrila and Mr. Macias gave an update on zoning applications activities.

9. **COMMISSIONER COMMENTS** - The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action.

The Commission members thanked staff for the hard work done with the zoning applications and the zoning text amendments and welcomed the City Attorney representative to the meetings.

10. **ADJOURNMENT** - Chair Crosby adjourned the meeting at 7:14 pm.