

DRAFT

**REGULAR MEETING OF THE PLANNING & ZONING
COMMISSION OF THE CITY OF EL MIRAGE
EL MIRAGE CITY COUNCIL CHAMBERS
10000 N. EL MIRAGE ROAD
6:05 PM - TUESDAY, OCTOBER 12, 2021**

Minutes

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Vice Chair Ast called the meeting to order at 6:05 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, September 14, 2021.

Vice Chair Ast moved to approve the minutes from the September 14, 2021, Planning and Zoning Commission meeting; seconded by Commissioner Jones.

Vote: 4 - 0 Passed - Unanimously

Other: Commissioner Chairperson Martin Crosby (ABSENT)

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 public comment were received.

5. ACTION ITEM

1. A discussion and recommendation on a Site Plan Approval Zoning Application for a Light Manufacturing Use located at 12501 West Olive Avenue, Arizona 85335 submitted by Avanti Windows and Doors LLC.

Senior Planner Jose Macias presented the staff report to the Commission and stated that City staff had no objections or concerns regarding the application. Dustin Petty from Avanti Windows and Doors gave a brief statement and assisted with answering questions from the Commissioners. After the discussion between the Commissioners and applicant, Chair Crosby called for additional discussion

among the Commissioners or for a vote.

Vice Chair Ast recommended approval of the Site Plan Approval Zoning Application for a Light Manufacturing Use located at 12501 West Olive Avenue, Arizona 85335 submitted by Avanti Windows and Doors LLC; seconded by Commissioner Jones.

Vote: 5 - 0 Passed - Unanimously

2. A Public Hearing, closure of public hearing, followed by a discussion and recommendation on a Conditional Use Permit Zoning Application for a Marijuana Cultivation Site Use located at 12475 West Alice Avenue, Arizona 85335, submitted by White Mountain Health Center.

Mr. Macias presented the staff report and stated that City Staff had no objections or concerns regarding the application, but it was subject to the following conditional use stipulations. Conditional Use permit - the applicant shall consent to the following stipulations in writing by adding them to the site plan.

1. The right to a use and the insurances of an 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 use and site plan amendment shall not generate noise, vibrations, and odors that may become a nuisance to the general 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.

Chair Crosby opened the public hearing and asked for the applicant to provide additional information. Applicants Taylor Candland and White Mountain Health Center owner Russell Riggs were present. Chair Crosby opened the floor for questions from Commissioners and the public. The Commissioners asked a series of questions regarding the product odor, security, the construction of the greenhouses, water usage and zoning use. Crosby made a call for public comment. Resident Steve Gilliam asked questions regarding hazardous materials, chemicals used on site, site inspections. There being no further questions Chair Crosby closed the public hearing.

Commissioner Jones recommended approval on a Conditional Use Permit Zoning Application for a Marijuana Cultivation Site Use located at 12475 West Alice Avenue, Arizona 85335, submitted by White Mountain Health Center; seconded by Commissioner Anderson.

Vote: 3 - 2 Passed

NAY: Commissioner Vice Chair Skip Ast
Commissioner Leonard Gradillas

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

No new business for action.

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

There were no items for discussion.

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

Development Services Director/City Engineer Jorge Gastelum shared the City's quarterly newsletter with the Commission Members. Economic Development Manager Tom Doyle informed the Commission that Avanti Windows and Doors will be hosting a job fair on October 14th and October 23rd. Mr. Macias provided information on active zoning development applications and stated that there will be a November Commission Meeting, and reminded those members of the El Mirage Zoning and Land Use Task Force of the next meeting on October 13, 2021.

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

Chair Crosby thanked the City Attorney for his guidance during the meeting. Vice Chair Ast also thanked the City Attorney and asked for additional information regarding the responsibilities of the Commission. Commissioner Anderson stated she believed the City should consider enacting re-usable energy requirements for sustainability but no directive was given to staff.

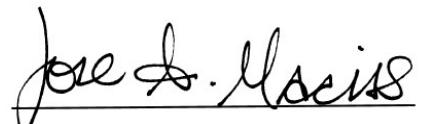
- 10. **ADJOURNMENT** - The meeting was adjourned at 7:25 pm.

Martin Crosby, P&Z Chair

ATTEST:

Jose Macias, Senior Planner

I hereby certify the aforementioned minutes are a true and accurate record of the Regular P&Z Meeting held on Tuesday, October 12, 2021, and a quorum was present.



Jose Macias, Senior Planner