

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, SEPTEMBER 13, 2022**

Minutes

Present: Martin Crosby, Commissioner Chairperson; Skip Ast, Commissioner Vice Chair; Bob Jones, Commissioner; Mariane Anderson, Commissioner; Marie Houston, Commissioner; Lupe Amarillas, Commissioner (Alternate)

- 1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE - MEETING CALLED TO ORDER AT 6:00 PM.**
- 2. **APPROVAL OF MINUTES FROM THE PLANNING & ZONING COMMISSION MEETING HELD ON AUGUST 9, 2022, AND THE SPECIAL MEETING HELD AUGUST 18, 2022.**

Commissioner Houston noted a correction needed to be made to the minutes. Deputy City Clerk Wendy Henson asked Commissioner Houston to send her the information needed to make the correction and the edited minutes will then be added to the next meeting's agenda for approval.

- 3. **ACTION ITEMS** - Zoning items requiring review and Commission action

- 1. A discussion and action to nominate and appoint a new Planning and Zoning Commission Chairperson and Vice-Chairperson. (Development Services)

Senior Planner Jose Macias thanked Chairperson Crosby and Vice Chairperson Ast for their service during their term. Mr. Macias also reminded the Commission of the recent extension of the term of service for the Chair and Vice Chair. Chairperson Crosby asked for nominations for Chairperson and nominated Commissioner Jones. Commissioner Anderson nominated herself. Chairperson Crosby then asked for a vote on each nomination.

Commissioner Bob Jones - Chairperson Crosby, Vice Chairperson Ast, Commissioner Anderson, Commissioner Jones, Commissioner Houston

Commissioner Marianne Anderson - No votes

Commissioner Bob Jones was chosen as the new Commission Chairperson.

Commissioner Crosby asked for nominations for Vice Chairperson. Chairperson Jones nominated Commissioner Crosby. Commissioner Houston nominated Commissioner Anderson. Chairperson Jones then asked for a vote on each nomination.

Commissioner Martin Crosby - Chairperson Jones, Commissioner Ast, Commissioner Crosby

Commissioner Marianne Anderson - Commissioner Anderson, Commissioner Houston

Commissioner Martin Crosby was chosen as the new Commission Vice Chairperson.

2. A discussion and recommendation to City Council on a site plan approval zoning application for a warehousing and distribution center located at the southeast corner of El Mirage Road and Joe R Ramirez Road submitted by the Stonemont Financial Group(Development Services)

Senior Planner Macias provided background information on the application. Commissioner Anderson asked the applicant, Josh Wheeler, if tenants were already chosen for the building, how soon the buildings would be occupied and how long the tenants would occupy the space. Mr. Wheeler stated there are no tenants determined yet, but they are confident in securing a long-term occupant soon based on other locations they have constructed. He also stated the number of jobs that would be brought in with a tenant would be anywhere from twenty-five to one hundred. Chairperson Jones asked when the space east of the proposed building would be developed and Mr. Wheeler stated the property owner would be building an office space and masonry type business at that location in the future. Chairperson Jones asked if there were only one owner for the entire property and Mr. Wheeler stated yes. Chairperson Jones asked if the owner was aware of noise restrictions for the property and Mr. Wheeler stated yes.

Vice Chairperson Crosby moved to recommend to City Council a site plan approval zoning application for a warehousing and distribution center located at the southeast corner of El Mirage Road and Joe R Ramirez Road submitted by the Stonemont Financial Group, as presented; Commissioner Ast seconded.

Vote: 6 - 0 Passed - Unanimously

3. A discussion and recommendation to City Council on a site plan approval zoning application for a wood truss manufacturing plant located at 10100 N Dysart Road submitted by Cariari Holding, Inc. (Development Services)

Senior Planner Macias provided information on the application. Applicant Matt Izzo also gave a brief description of the proposed business. Commissioner Anderson asked how often the train would be docking at the location and Mr. Izzo stated approximately once or twice per week. Commissioner Anderson asked what kind of noise would the business generate and Mr. Izzo stated normal business noise such as compressors and nail guns. Commissioner Anderson asked how many employees they expected to have on-site and Mr. Izzo stated thirty to forty at a time. Vice Chairperson Crosby asked if the rail service would be bringing in and taking out supplies and Mr. Izzo stated only bringing in at this time. Commissioner Ast asked if there would be rail traffic coordination to prevent traffic restrictions and City Engineer Jorge Gastelum stated BNSF will be coordinating all rail traffic in the area. Commissioner Ast if there were a traffic study for rail service and Mr. Gastelum stated he would find out and let the Commission know.

Commissioner Crosby moved to recommend to City Council a site plan approval zoning application for a wood truss manufacturing plant located at 10100 N Dysart Road submitted by Cariari Holding, Inc., as presented; seconded by Commissioner Ast.

Vote: 6 - 0 Passed - Unanimously

4. A Public Hearing, closure of public hearing followed by a discussion and recommendation to City Council on a major general plan amendment to the El Mirage 2020 General Plan and Land Use Map, 36 acres of the Agua Fria Planning Area to Commerce/Industry Park located 0.2 miles east of the southeast corner of Main Street and Cactus Road submitted by 120 El Mirage Partners & Associates. (Development Services)

Chairperson Jones opened the Public Hearing.

Senior Planner Jose Macias presented information on the major general plan amendment. Vice Chairperson Crosby asked where Cactus Road ended currently and Mr. Macias stated it ends at Main Street. Applicant Adam Baugh gave a presentation outlining the proposed business for the location as well as the changes that have been made to the original plan based on feedback from the residents and the HOA. Commissioner Houston asked who would maintain the dog park and Mr. Baugh stated the property owner would manage the maintenance and that it would take place on a bi-weekly basis. Commissioner Houston asked if the proposed trees would be planted from Cactus Road down to the dog park and Mr. Baugh stated yes. Commissioner Crosby asked if the trips counts were based on a daily assumption of traffic and Mr. Baugh stated yes and that most people would only make one trip to and from the site each day, not usually multiple times in one day. Commissioner Ast asked what the plan was for the City owned portion of property and Mr. Baugh state there is discussion between the City and the HOA on transfer of ownership. Commissioner Crosby asked if the trees would be irrigated and Mr. Baugh stated yes. Chairperson Jones stated Mr. Baugh did a good job with his presentation and asked who the property owner of the dog park is and Mr. Baugh stated they are and that they would maintain it.

City Attorney Justin Pierce advised the Commission and the audience the time limit on speakers during a public hearing is normally three minutes. The time limit is to ensure everyone is given the opportunity to speak and allows them to give individual feedback concerning the item being discussed. Mr. Pierce also reminded the audience to please not repeat the same comments already expressed by those who have already spoken.

Sundial Board Member Larry Harmon stated there are many concerns with the proposed changes to the major general plan that include traffic concerns, safety of children in the neighborhood, drainage issues and security. He stated this proposed development would not prevent crime in the area and the length of the construction period involved is concerning to residents also.

Resident Ed Blanar stated he has previously opposed proposed developments of storage facilities in El Mirage and is opposed to this development also. Mr. Blanar stated the Commission should be listening to the residents and their concerns for this development.

Resident John Kefallinos stated in the online chat "Local residents are against this project. Generating a few more tax dollars is not enough justification." Chairperson Jones asked Mr. Kefallinos if he had any other statements and Mr. Kefallinos stated no.

Resident George Sloss stated that he appreciated when City staff worked to block illegal access to the wash behind his home. He stated he is concerned about the noise from traffic traveling to and from the facility as well as his privacy being violated in his backyard from visitors to the business.

Resident Michael Manning stated there is a petition going around the City for residents who are opposed to this proposed development. Mr. Manning stated there is little demand for vehicle storage in the valley at this time, and he does not see the demand increasing in El Mirage. Mr. Manning is also concerned about the landscaping activities that may take place early in the morning and at increased decibel levels related to the landscaping machinery. Mr. Manning stated there is not enough police presence to manage this additional development and the roads are not going to be able to handle the increased weight of traffic this development will bring.

Resident Reginald Powell stated he appreciates the developer has addressed a few of his concerns already, and he is still concerned about the City owned land between the residences and the proposed development and who would be able to enforce maintenance of that area. City Attorney Pierce stated the City would still be able to enforce City Code requirements in the site plan process.

Community Manager Korin Parry stated although the City owns the property between the residence's and the proposed development, the HOA has been paying the taxes on the property for many years. Ms. Parry also stated there are issues with the City not enforcing City Code on the golf course property owners and may not enforce City Code with the proposed developer either. Ms. Parry asked the Commission to please take into consideration the concerns of the residents.

Mr. Baugh stated there is already a noise ordinance in place, and they are aware of it. He also stated the wall of the development will not be closer than forty feet to the residential wall which will not impede on the privacy of the residents.

Vice Chairperson Crosby stated that although the City is in need of tax revenue he is undecided on recommending approval of this project but this meeting is only for the recommendation on the major general plan amendment. Commissioner Ast stated he understands the resident's concerns and still believes the process should move forward. Chairperson Jones stated regardless of the outcome of this meeting the recommendation made tonight would only be for the major general plan amendment and there are many phases to this process. Chairperson Jones stated he understands the concern's of the resident's and the Commission can only make a suggestion to the City Council and the final decision is determined by the City Council. Commissioner Houston thanked everyone for attending tonight's meeting and voicing their concerns.

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

Mr. Macias stated staff is working on a few potential projects and a development application was submitted today that the Commission would see at a later meeting. Mr. Gastelum congratulated Chairperson Jones and Vice Chairperson Crosby on their nominations and subsequent win. Economic Development Manager Tom Doyle stated it is great to see so many new developments come to fruition. He also stated there is an upcoming seminar training on start-up business which will be held on October 19, 2022, from 11:30 am until 1:00 pm at the new library. Mr. Doyle stated more information would be coming regarding the training.

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

Vice Chairperson Crosby thanked the Commission and City staff for the great work and support during his tenure as Chairperson. Commissioner Ast asked City Attorney Pierce if it were possible to educate residents on the Commissions' role in determine changes to zoning codes and approvals of applications as opposed to the roles of City Council. Mr. Pierce stated there are many ways to educate residents, and it is important for the Commissioners to stay objective when determining how to vote on items. Commissioner Amarillas thanked Mr. Macias for the information provided regarding the upcoming agenda items. Chairperson Jones commended Vice Chairperson Crosby and Commissioner Ast on their service as Chair and Vice Chair and stated the Commission did a great job on being objective during tonight's meeting.

6. **ADJOURNMENT - MEETING ADJOURNED AT 7:52 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, September 13, 2022, and a quorum was present.



Wendy Henson, Deputy City Clerk