

# DRAFT



**MINUTES  
PLANNING COMMISSION  
COUNCIL CHAMBERS  
5850 W. GLENDALE AVE.  
GLENDALE, ARIZONA 85301  
FEBRUARY 24, 2022  
6:00 P.M.**

**1. CALL TO ORDER**

Chairperson Crow called the meeting to order at approximately 6:00 p.m.

**2. ROLL CALL**

Announcement: Chairperson Crow announced Vice-Chair Nyberg had been in an accident and welcomed Interim Vice-Chair Gary Hirsch and Commissioner John Geurs

Present: Vern Crow, Chair  
Gary Hirsch, Vice Chair  
Tom Cole, Commissioner  
John Crow, Commissioner  
Martin Nowakowski, Commissioner  
John Geurs, Commissioner

Also Present: Tabitha Perry, Interim Planning Director  
James Gruber, City Attorney  
Lisa D. Wilson, Recording Secretary  
Christina Lavelle, Planner  
Alex Lerma, Planner

**3. 1.CITIZEN COMMENTS**

**Chairperson Crow called for citizen comments. There were none.**

**4. APPROVAL OF THE MINUTES**

Chairperson Crow called for Questions or comments.

Commissioner Geurs requested that a discussion in reference to Luke Air Force Base be added to the January 13th, 2022, Minutes.

There were no other comments

Chairperson Crow asked for a motion.

Commissioner Geurs made a motion to approve October 21st and December 2nd, 2021, minutes and amend January 13th to be voted on at a later meeting.

Commissioner Crow seconded the motion.

**AYE:**

Chair Vern Crow

**Vice-Chair Gary Hirsch**

Commissioner Tom Cole

Commissioner John Crow

Commissioner Martin Nowakowski

Commissioner John Geurs

**PASSED**

- a. Planning Commission Minutes of January 13, 2022, Regular Meeting.
- b. Planning Commission Minutes of December 2, 2021, Special Workshop
- c. Planning Commission Minutes of October 21, 2021, Special Workshop

**5. WITHDRAWALS AND CONTINUANCES**

Chairperson Crow called for Withdrawals and Continuances, there were none

**6. PUBLIC HEARING ITEMS**

Chairperson Crow called for the public hearing items

1. **PETE'S FISH AND CHIPS CONDITIONAL USE PERMIT CUP21-12** - A request by Michael Prefling, of Prefling Engineering, on behalf of Steve Garday, for a CUP (Conditional Use Permit) to permit a drive thru expansion (convenience use) and a water/ice kiosk as required by Sec. 5.754J of the City of Glendale Zoning Ordinance. The site is located at the northeast corner of Glendale Avenue and 55th Drive (5616 W. Glendale Avenue) and is in the Ocotillo District. Staff Contact: Christina LaVelle, Planner, 623-930-2553

Ms. Christine Lavelle provided Staff's presentation.

Chairperson Crow called for the applicant's presentation.  
There were none

Chairperson Crow called for questions from the Commission.  
There were none

Chairperson Crow called for speakers in the audience.  
There were no speakers, so the public hearing was closed

Chairman Crow called for a motion.

Commissioner Crow made motion to approve CUP21-12 subject to the stipulation as listed in the staff report.  
Commissioner Cole 2nd the motion.

**AYE:**

Chair Vern Crow

Vice-Chair Gary Hirsch

Commissioner Tom Cole

Commissioner John Crow

Commissioner Martin Nowakowski  
Commissioner John Geurs  
PASSED

Mr. Gruber, Chief Deputy City Attorney, stated these recommendations would be forwarded to the City Council for final action.

2. **51ST AVENUE BEER AND WINE CONDITIONAL USE PERMIT CUP21-14** - A request by Theresa J. Morse on behalf of Avant Garde Alcohol Training and Education, representing Kazem Saleh Sheik, for a Conditional Use Permit to allow a convenience store in the C-2 (General Commercial) zoning district as is required by Sec. 5.754 (J) of the City of Glendale zoning ordinance. The site is located at 13804 N. 51st Avenue and is in the Sahuaro District. Staff Contact: Christina LaVelle, Planner, 623-930-2553

Ms. Christine Lavelle provided Staff's presentation.

Chairperson Crow called for questions from the Commission.  
There were none

Chairperson Crow called for the applicant's presentation.  
There were none

Chairperson Crow called for speakers in the audience.  
There were no speakers, so the public hearing was closed  
Chairman Crow called for a motion.

Commissioner Cole made motion to approve CUP21-14 subject to the stipulation as listed in the staff report.  
Vice-Chair Hirsch 2nd the motion.

AYE:  
Chair Vern Crow  
Vice-Chair Gary Hirsch  
Commissioner Tom Cole  
Commissioner John Crow  
Commissioner Martin Nowakowski  
Commissioner John Geurs  
PASSED

Mr. Gruber, Chief Deputy City Attorney, stated these recommendations would be forwarded to the City Council for final action.

3. **TAKE 5 CAR WASH PAD AMENDMENT ZON21-17** -A request by Jesse Macias on behalf of M3 Design LLC, representing Driven Brands / Matthew Gilbert to amend an existing PAD (Planned Area Development, case # ZON19-11) to include a car wash as a permitted use on 11.3 acres. The site is located at the northwest corner of 83rd Avenue and Camelback Road and is in the Yucca District. Staff Contact: Christina LaVelle, Planner, 623-930-2553.

Ms. Christine Lavelle provided Staff's presentation.

Chairperson Crow asked to verify the feet in stipulation 4, it was verified at 54 feet.

Chairperson Crow called for questions from the Commission.

Chairperson Cole asked to verify the dates of all the stipulations.  
Planner Lavelle verified all the dates to be January 12, 2022.

Commissioner Crow asked about the acoustic analysis that was done  
Ms. Lavelle informed the commission the analysis was part of procedure for car wash not a result of community complaints.

Commissioner Crow asked about the citizen concern about water use  
Ms. Lavelle said she would have the applicant follow up with that information.

Commissioner Geurs asked about the emails included in the packet, lack of address and if the concerns of the people in the emails had been addressed by the applicant

Ms. Lavelle indicated all concerns and suggestions were addressed by the applicant and appropriate changes made, a second meeting was held inviting all original community members. There was only one attendee who has satisfied with the changes. No other communications have been received.

Commissioner Nowakowski stated he understood the 13 complaints that were emailed, also with multifamily developments occurring there would be a need for a car wash. He was please with the applicant listening to the community and making changes to be accommodating.

Chairperson Crow called for the applicant's presentation.  
Jesse Macias Phoenix AZ noted the original PAD didn't include the necessary language for a CUP. He also talked about the changes made due to the citizens request, changing the color palette, and removing the oil changing. The second public meeting included all from the previous list and the 13 emails received. Mr. Macias stated Councilperson Clark was very happy with the changes.

The commission had no questions or comments for the applicant  
There were none

Chairperson Crow called for speakers in the audience.  
There were no speakers, so the public hearing was closed  
Chairman Crow called for a motion.

Commissioner Geurs made motion to approve ZON21-17 subject to the stipulation as listed in the staff report.  
Commission Crow Second the motion.

AYE:

Chair Vern Crow  
Vice-Chair Gary Hirsch  
Commissioner Tom Cole  
Commissioner John Crow  
Commissioner Martin Nowakowski  
Commissioner John Geurs

PASSED

Mr. Gruber, Chief Deputy City Attorney, stated these recommendations would be forwarded to the City Council for final action.

4. **WOOLF CROSSING PAD AMENDMENT ZON21-29-** A request by Cindy Paddock on behalf of HilgartWilson, representing Woolf Family Enterprises Limited Partnership and Huron LLC, to amend the existing Woolf Crossing PAD (Planned Area Development) development standards for approximately 166.4 acres of the overall Woolf Crossing PAD 612-acre project site. All other components of the existing PAD will remain as approved in the 2006 Woolf Crossing PAD and the 2021 Woolf Crossing PAD Amendment. The site is generally located east of the southeast corner of Olive Avenue and Loop 303 Freeway and is in the Yucca District. Staff Contact: Alex Lerma, Planner, 623-930-2810.

Mr. Lerma made his presentation

Commissioner Nowakowski asked if the setbacks requested in this request are similar to what had been approved by the commission in the past. Commissioner also asked for explanation about the maximum height of the building if 100 feet plus the additional feet.

Planner Lerma stated compatible land uses are going to be industrial in nature, so this would place this request into the 15 foot range. There aren't any residential uses in that area and PAD connected to the site have similar development standards  
Planner Lerma explained there is an additional 5 feet given for any equipment or architectural features, the height amendment was made to parcel C & J last year and the amendment is keeping the same consistency across the board.

Chairperson Crow pointed out the maximum in the packet is 110 feet

Commissioner Cole pointed out the maximum in the Planner presentation is 110 feet the maximum in the Applicants' packet is 120 feet, and he has concerns.

Commissioner Nowakowski noted the world wildlife zoo is across the street so if construction entrances could be moved as far north as possible to make it less burdensome for tourists, visitors, and animals.

Planner Lerma there was an error on the map it is next to the golf course not the zoo.

Commissioner Cole stated he is not aware of approving triple digit heights for buildings. He stated that his concern is being able to effectively contain a fire and ascertain structural damage and he would not recommend anything over 85 feet and questioned if at this point an amendment to the stipulations could be done.

Chairperson Crow asked for comments from the commission and Planner Lerma

Planner Lerma stated other agencies besides city departments reviewing the plans. There will be an FAA form filed and will make a recommendation

Chairperson Crow stated since the fireman could not safely battle a potential fire makes him very concerned and asked City Atty Gruber if they could recommend approval based on amended stipulations regarding the maximum height.

Ms. Perry requested the commission allow the applicant to make their presentation and answer the questions of the committee prior to making any motions.

Chairperson Crow indicated they were not ready to make any motions.

Atty Gruber stated the commission could approve with amended stipulations and agreed with having the applicant make their presentation prior to any recommendation.

Chairperson Crow called for the applicant to make their presentation

Applicant Cindy Paddock, Phoenix AZ made a presentation

Ms. Paddock indicated this submission was to clean up the standards and to make the standards consistent with the rest of the Woolf PAD amendment approved last year and the Woolf Logistics Park PAD adjacent to the east. Ms Paddock indicated they didn't know what the building height would be as there wasn't a developer on the project. But asked the commission that they approve the project as stipulated with no amendments.

Commissioner Cole asked if it could be researched to verify if 100-foot building was ever approved.

Vice-Chair Hirsch asked would be a final building review by fire, building safety and traffic

Ms. Perry indicated there would be a review by those other departments and stated that the amendment to the Woolf PAD was 100 feet. There would also be a design review and formal application process which involves all city development teams review the submission including fire and building safety.

Chairperson Crow for any audience comments there were none

Chairperson Crow asked if any further comments from Mr. Lerma, there were none

Chairperson Crow closed the public hearing

Chairperson Crow Called for a motion

Commissioner Crow made a motion to approve ZON21-29 with stipulations

Commission Geurs 2nd the motion

Chairperson Crow called for comments

Vice-Chair Hirsch indicated with the assurance from the staff that although the zoning allows 110 that the building permits wouldn't necessarily be issued for that height.

AYE:

Commissioner Crow

Vice-Chair Hirsch

Commissioner Nowakowski stated he trusts staff, also does not remember 100-foot building approval, thought a stipulation for 80 feet would be put in, so Council could deal with the matter, but it wasn't, and he wouldn't make it

Commissioner Geurs

Chairperson Crow stated he trusts staff and does not remember approving 100 feet building and is very concerned about it

NAY:

Commissioner Cole stated he does trust the staff but due to the fact Glendale Fire department would not be the closest and the other departments do not have a say in the design review process

PASSED

Mr. Gruber, Chief Deputy City Attorney, stated these recommendations would be forwarded to the City Council for final action.

5. **DISTRICT AT WESTGATE REZONING APPLICATION/GENERAL PLAN AMENDMENT GPA21-08 & ZON21-23** - A request by Derick Cayton on behalf of The Wolff Enterprises III, LLC, representing The Sam Robin and Blanche Robin Family Trust, for a Minor General Plan Amendment from MDR-5 (Medium Density Residential 3.5 -5.0 du/ac) to HDR-30 (High Density Residential 20-30 du/ac) land use designation and a zone change for a 19.15-acre site from A-1 (Agricultural) to PAD (Planned Area Development) zoning district to allow for a residential mixed-use project development. The site is located at the northeast corner of 91st Avenue and Ocotillo Road in the YUCCA District. Staff Contact: Alex Lerma, Planner, (623) 930-2810.

Planner Lerma made his presentation

Commissioner Nowakowski asked for an explanation as to there being two dog parks. Planner Lerma stated there is a dog park for the residents of the development and a dog park for the neighborhood

Commissioner Nowakowski asked if the turning lane will be expanding Ocotillo Planner Lerma the stipulation for Ocotillo is requiring 30 feet of right of way the turn lane will be on 91st Avenue Northbound.

Commissioner Nowakowski asked about the staggering of the height written into the language. Planner Lerma indicated it was in the proposed plan and staff would be expecting the heights as outlined in the report.

Chairperson Crow called for any other questions for staff, there were none

Chairperson Crow called for the applicant's presentation

John Berry Stated that although it is presented as conceptual this is the plan the applicants intend to follow. The applicant indicate they did extensive outreach to ensure the neighborhood was approving of the plans.

Applicant made presentations

Chairperson Crow asked if any questions for the applicant, there were none

Chairperson Crow asked if there were any questions from the commission there were none

Chairperson Crow closed the public hearing

Chairperson Crow called for a motion for GPA21-08

Commissioner Nowakowski made a motion to approve GPA21-08 as written

Commissioner Cole 2nd the motion

Commissioner Crow indicated he appreciated the steps taken to make it a great project  
Commissioner Nowakowski indicated the work with the neighbors was recognized and appreciated and should be the new standard

AYE:

Chair Vern Crow

Vice-Chair Gary Hirsch

Commissioner Tom Cole

Commissioner John Crow

Commissioner Martin Nowakowski

Commissioner John Geurs

PASSED

Mr. Gruber, Chief Deputy City Attorney, stated these recommendations would be forwarded to the City Council for final action.

Chairperson Crow called for a motion for ZON21-23

Commissioner Nowakowski motion to approve with stipulations

Vice-Chair Hirsch 2nd the motion

Commissioner Cole asked if the stipulations as written or as amended

Atty Gruber stated to make sure the motion is for the stipulations as presented in the presentation

Commissioner Nowakowski motioned to approve with the amended stipulations as in the staff report

Commissioner Cole 2nd the motion

AYE:

Chair Vern Crow

Vice-Chair Gary Hirsch

Commissioner Tom Cole

Commissioner John Crow

Commissioner Martin Nowakowski

Commissioner John Geurs

PASSED

Mr. Gruber, Chief Deputy City Attorney, stated these recommendations would be forwarded to the City Council for final action.

## **7. OTHER BUSINESS**

Chairperson Crow calls for other business

### **a. GOAL SETTING AND TOPICS OF DISCUSSION FOR THE UPCOMING YEAR**

Ms. Perry introduced the goal setting to be approved on by the commission to keep the same goal, add more or change completely

Chairperson Crow called for Comments

Vice-Chair Hirsch indicated having training on various topics for commissioners through the workshops would be helpful.

Chairperson Crow Stated the commission would give Planning a list of topics and

Vice-Chair Hirsch could put that together

ALL APPROVED

## **8. PLANNING STAFF REPORT**

There was none

## **9. COMMISSION COMMENTS AND SUGGESTIONS**

Commissioner Cole Indicated he verified that 100 feet was approved in June and reiterated his respect for staff and passion for the safety of those in service.

Chairperson Crow Stated his appreciation for Commissioner Cole expertise

Vice-Chair. Hirsch Stated it took him time to get the hang of being a commissioner

Chairman Crow thanked Recording Secretary Lisa Wilson for her assistance

**10. NEXT MEETING**

The next regular meeting of the Planning Commission is scheduled for March 24th 2022 at 6:00 p.m., in the Council Chambers located at 5850 W. Glendale Ave, Glendale, Arizona, 85301.

**11. ADJOURNMENT**

**Chairperson Crow called for a motion to adjourn**

**Chairman Crow called for a motion to adjourn**

**Vice-Chair Hirsch made a motion to adjourn and Commissioner Cole 2nd**

**AYE:**

**Chair Vern Crow**

**Vice-Chair Gary Hirsch**

**Commissioner Tom Cole**

**Commissioner John Crow**

**Commissioner Martin Nowakowski**

**Commissioner John Geurs**

**PASSED**

The Planning Commission meeting minutes of \_\_\_\_\_, 2022 were submitted and approved this \_\_\_\_ day of \_\_\_\_\_, 2022.

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Lisa Wilson  
Recording Secretary