

DRAFT



MINUTES

**PLANNING COMMISSION
COUNCIL CHAMBERS
5850 W. GLENDALE AVE.
GLENDALE, ARIZONA 85301**

**MARCH 23, 2023
6:00 P.M.**

1. CALL TO ORDER

2. ROLL CALL

Present: Vern Crow, Chair
Edwin Nyberg, Vice Chair
Tom Cole, Commissioner
John Crow, Commissioner
Martin Nowakowski, Commissioner
John Geurs, Commissioner
Brian Hooper, Commissioner

Also Present: Tabitha Perry, Planning Manager
James Gruber, City Attorney
Alex Lerma, Senior Planner
Edward Vigil, Senior Planner
Tawanda Walker-Hall, Recording Secretary

3. CITIZEN COMMENTS

There were none.

4. APPROVAL OF THE MINUTES

Chairperson Crow opened the hearing at approximately 6:00 p.m.

Vice Chair Nyberg motioned to approve minutes for the 11/17/22 Special Meeting and 12/08/22 Regular Meeting.

Commissioner Crow seconded.

All Commissioners voted Aye.

Chairperson Crow: motion carries.

- a. Planning Commission Special Meeting Minutes of November 17, 2022
- b. Planning Commission Regular Meeting Minutes of December 8, 2022

5. WITHDRAWALS AND CONTINUANCES

There were none.

6. PUBLIC HEARING ITEMS

Chairperson Crow read the public hearing procedures, stated testimony will be limited to 3 minutes per speaker then announced the first agenda item.

1. GPA22-06 & ZON22-16 SHOPS AT 75TH - Request for entitlement approvals for a General Plan Amendment and Rezoning Application.

Senior Planner, Alex Lerma presented Case GPA22-06 & ZON22-16.

Commissioner Cole: About the Citizen Participation Final Report and Council member for the Yucca district comments proposing no carwash. Is this codified anywhere in this action?

Mr. Lerma: That was a conversation between the developer and the Council member. Keep in mind when Planning Commission recommends approval it does so allowing all uses in C1 district for this site.

Commissioner Cole: Would there be an opportunity for a PAD to narrow down permissibility?

Mr. Lerma: Zoning actions open it up to new entitlements for the property. Uses by right and those allowed with a conditional use permit. One of those is a carwash which is considered a convenience that would require a conditional use permit and come back before the Planning Commission.

Commissioner Nowakowski: Is the traffic study in the packet part of number one's contingencies of January 6th?

Mr. Lerma: Stipulation #1 is specific to the project narrative and conceptual sight plan where they discuss their intent for the site. The only stipulation that addresses the traffic impact analysis is stipulation #2 which speaks to the additional right-of-way improvements. The Conceptual Site Plan already addresses many of the recommendations made in the traffic impact analysis. During the Design Review process when Transportation will look at the site plan to make sure all the recommendations are being implemented.

Chairperson Crow: When it says multiple drive-thru uses, can you tell me which ones?

Mr. Lerma: The Applicant can address this matter; no end users have been discussed with Staff at this point.

Applicant Raft "AJ" Abdeljaber presented.

Commissioner Hooper: As a resident who receives water from that SRP pipeline. What is your timetable? How are you going to make sure people get water?

Applicant Raft "AJ" Abdeljaber: SRP is currently working to provide us with their design explaining how we will need to encase and underground their pipe. I don't have a timeline for when it will be constructed. We are eager to get this project started.

Commissioner Nowakowski: Where are the deceleration lanes going to be?

Applicant referenced site plan, described and discussed drive through's and parking providing Commissioners with details of the plan and Pad "A" potential drive-thru use.

Commissioner Cole: Can you point out the several drive-thru establishments

Applicant Raft "AJ" Abdeljaber: Aside from PAD "A" end users have not been identified. A drive-thru is possible yes, maybe in phase 2. We plan to apply for a conditional use permits.

Commissioner Nowakowski: It would be beneficial to have discussions with the neighborhood regarding permitted users. This is my recommendation.

Applicant Raft "AJ" Abdeljaber: We absolutely would have the discussion. We have met with their neighbors on four separate occasions over the last year. We will be here and implement it. We want what's best for the City.

Commissioner Nowakowski: If we could say no liquor or vape stores that would be helpful.

Applicant Raft "AJ" Abdeljaber: We don't rent to liquor or vape store. We have not conveyed we are looking for a liquor or vape store. We have a beautiful coffee shop, a beauty salon, and potential restaurants.

Chairperson Crow thanked applicant. Reminded the public of the 3-minute speaking time and that a signal will be given at the 2.5-minute mark. Requested speakers to avoid duplicate statements.

Forty-seven (47) residents signed cards in opposition. Of those 47 residents, fourteen (14) spoke in opposition and conveyed concerns related to the increase in traffic, crime, and transient-related issues.

The applicant reiterated to the public, the farm is not going away, they want to increase revenue to the City, and developing the corner will increase safety.

Commissioner Crow: Are you familiar with United Blood donation? Would that be an acceptable use?

Applicant Raft "AJ" Abdeljaber: Unlikely.

Mr. Lerma had no additional comments.

Commissioner Crow: Move to recommend approval of GPA22-06 as written.

Vice Chair Nyberg supported motion.

Chairperson Crow asked Commissioners if there were any further discussions.

Commissioner Nowakowski: The homelessness situation is complicated, but I feel good development is a good development. More discussion needs to take place between the Applicant and the neighborhood.

Chairperson Crow closed the Public hearing and moved to approve GPA22-06 as written; and conduct a roll call vote.

Commissioners Crow, Cole, Geurs, Vice Chair Nyberg, and Chairperson Crow voted Aye. Commissioners Nowakowski and Hooper voted Nay.

Chairperson Crow: GPA22-06 has been recommended for approval. Mr. Gruber, what are the next steps in the process?

City Attorney Gruber: Your recommendation of GPA22-06 is not final the recommendation will be forwarded to City Council.

Chairperson Crow motion for a vote on ZON22-16.

Commissioner Crow: Move to recommend approval of ZON22-16 as written.

Commissioner Geurs: Seconded

Chairperson Crow asked Commissioners if there were any further discussions regarding ZON22-16.

Chairperson Crow: Moved to recommend approval of ZON22-16 subject to the stipulations; conducted roll call vote.

Commissioners Crow, Geurs, and Vice Chair Nyberg voted Aye.

Chairperson Crow, Commissioners Cole, Nowakowski, and Hooper voted Nay. Commissioners in consent encouraged more dialogue between the Applicant and the community.

Chairperson Crow: ZON22-16 has been recommended for denial. Mr. Gruber, what are the next steps in the process?

City Attorney Gruber: Like the companion general plan amendment, ZON22-16 is not final the recommendation will be forwarded to City Council.

Chairperson Crow: Announced a 10-minute break at approximately 7:55 PM.

2. Chairperson Crow reconvened the Public Hearing at approximately 8:02 PM; announced case ZON22-24 and asked Mr. Vigil to present.

ZON22-24 DESERT RIVER II PAD AMENDMENT- Entitlement request for approval of a Planned Area Development (PAD) amending the existing Desert River II PAD (ZON20-12).

Senior Planner, Edward Vigil presented case ZON22-24.

Chairperson Crow asked Commissioners if there were any further discussions. There were none.

Applicant Shelby Duplessis, President of Land Development at Empire Residential

Communities Fund IV, LLC. presented.

Commissioner Guers: Is the indoor auto center for cars parking overnight that are being worked on?

Applicant Shelby Duplessis: It's an auto sales shop. A lot of the sales are done online, and they come in to get the car. And they need to service and get the car ready.

No further comments from the Commissioners or Mr. Vigil

Chairperson Crow closed public hearing for ZON22-24. Do I hear a motion?

Commissioner Nowakowski moved to recommend approval of ZON22-24 subject to stipulations contained in the staff report.

Commissioner Crow: Seconded.

Chairperson Crow motioned for a vote.

All Commissioners voted Aye.

Chairperson Crow: ZON22-24 has been recommended for approval. Mr. Gruber, what are the next steps in the process?

City Attorney Gruber: Your action about ZON22-24 is not final your recommendation will be forwarded to City Council.

Chairperson Crow announced case ZON24-25.

3. ZON22-25 LP BETHANY PLANNED AREA DEVELOPMENT - Entitlement request for approval of a Planned Area Development (PAD) Rezoning Application.

Senior Planner, Edward Vigil presented case ZON22-25.

Chairperson Crow invited Applicant to make a presentation.

Applicant Wendy Riddell on behalf of La POUR. Offered to make a presentation, but Commissioners stated not required.

Commissioner Geurs: There is a private drive to the south of Bethany. Do you own that property?

Applicant Wendy Riddell: We do not, but we have easement rights.

No additional comments or discussion by Mr. Vigil or the public.

Chairperson Crow: Closed public hearing for ZON22-25. Do I hear a motion?

Commissioner Nowakowski: moved to recommend approval of ZON22-25 subject to stipulations.

Commissioner Cole sseconded.

Chairperson Crow asked Commissioners if there were any further discussions. There were

none

Chairperson Crow: We have a motion and second to recommend approval for case ZON22-25 subject to the stipulations outlined by staff.

All Commissioners voted Aye.

Chairperson Crow: ZON22-25 has been recommended for approval Mr. Gruber, what are the next steps in the process?

City Attorney Gruber: Your action about ZON22-25 is not final your recommendation will forward to City Council.

7. OTHER BUSINESS

There were none.

8. PLANNING STAFF REPORT

Chairperson Crow: Ms. Perry are there any staff reports?

Ms. Perry: I want to give a reminder that we are in the process of rewriting the zoning ordinance from 1993 to the proposed UDC. It's scheduled to go before City Council on March 28th at 12:30 pm. Commissioners, please watch the workshop on the proposed UDC.

a. There were none.

9. COMMISSION COMMENTS AND SUGGESTIONS

10. NEXT MEETING

The next regular meeting of the Planning Commission is scheduled for April 27, 2023, at 6:00 p.m., in the Council Chambers located at 5850 W. Glendale Ave, Glendale, Arizona, 85301.

11. ADJOURNMENT

Chairperson Crow welcomed new Commissioner Bryan Hooper and entertained a motion to adjourn the public hearing.

Vice Chair Nyberg: So, moved.

Commissioner Geurs: Seconded.

All Commissioners vote Aye.

Chairperson Crow adjourned the public hearing at approximately 8:21 PM.

The Planning Commission meeting minutes of November 17, 2022, and December 8, 2022, were submitted and approved this ____ day of _____, 2023.

Tawanda Walker-Hall
Recording Secretary