

# DRAFT



## MINUTES

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

**MAY 25, 2023  
6:00 P.M.**

### **1. CALL TO ORDER**

Chairperson Crow opened the hearing at approximately 6:21 p.m.

### **2. ROLL CALL**

Present: Vern Crow, Chair  
Ed Nyberg, Vice Chair  
John Crow, Commissioner  
John Geurs, Commissioner  
Bryan Hooper, Commissioner

Absent: Tom Cole, Commissioner  
Martin Nowakowski, Commissioner

Also Present: Tabitha Perry, Planning Manager  
James Gruber, Chief Deputy Attorney  
Christina LaVelle, Senior Planner  
Matthew Taylor, Senior Planner  
Tawanda Walker-Hall, Recording Secretary

### **3. CITIZEN COMMENTS**

There were none.

#### **4. APPROVAL OF THE MINUTES**

Chairperson Crow called for a motion to approve the meeting minutes of November 10, 2022, and March 23, 2023.

Commissioner J. Crow motioned to approve the minutes as written.

Vice Chair Nyberg supported motion.

All Commissioners voted Aye.

- a. Planning Commission Minutes of November 10, 2022\*
- b. Planning Commission Minutes of March 23, 2023

#### **5. WITHDRAWALS AND CONTINUANCES**

There were none.

#### **6. PUBLIC HEARING ITEMS**

Chairperson Crow announced case CUP23-03.

CUP23-03\*\* Conditional Use Permit (CUP) to allow an event center with live music within 300' of a residential use.

Senior Planner, Matthew Taylor presented case CUP23-03.

Matthew Taylor: I would like to make a correction, staff identified property as being in the Sahuaro district in the staff report, the property is in the Cactus district.

Commissioner Guers: When you say that alcoholic beverages won't be served when school is in session. Does the Charter School have summer breaks, spring breaks or is just during the school year?

Matthew Taylor: I don't have an answer for this. I would say whenever school is in session, which could be on a day-to-day basis, alcohol would be severed only after 4:00 pm. The reason for that time, is based on the school's website, school typically ends at 3:30 pm.

Commissioner Guers: Does the Applicant own the entire property?

Matthew Taylor: The landscaping provision would apply to the entire property that the applicant owns. Even though the conditional use permit is specific to 8830 N. 43<sup>rd</sup> Avenue, which is a suite. Since the applicant owns the building and the entire grounds, we are requesting some additional enhancement to the landscaping.

Chairperson Crow invited Applicant to make presentation.

Applicant Claudia Avechuco presented.

Commissioner J. Crow: This is your facility; you own the entire building?

Applicant Claudia Avechuco: Yes.

Commissioner J. Crow: You have a tenant behavioral health facility next to this suite. Have you thought about sound mitigation next to the center?

Applicant Claudia Avechuco: Yes, I did a test with light music, and I could not hear anything.

With no more comments or questions from the Commissioners or public. Commissioner Crow asked for closing remarks from Mr. Taylor; there were none.

Chairperson Crow closed the hearing for CUP23-03; and asked for a motion.

Commissioner J. Crow recommended approval of CUP23-03 conditional to the stipulations in the staff report.

Vice Chair Nyberg seconded the motion.

With no further questions from the Commissioners. All Commissioners voted Aye to approve CUP23-03.

Chairperson Crow: CUP23-03 has been recommended for approval subject to the stipulations outlined by staff. Mr. Gruber, what are the next steps in the process?

Chief Deputy Attorney Gruber: Your action with respect CUP23-03 is final subject to a written appeal received within 15 days.

**2. GPA23-01 & ZON23-01 Entitlement request for approval of a General Plan Amendment and Planned Area Development (PAD) Rezoning Application.**

Chairperson Crow announced case GPA23-01 & ZON23-01. Stating items will be voted on separately.

Senior Planner, Christina LaVelle presented Case GPA23-01 & ZON23-01.

Applicant Brian Greathouse with Burch & Cracchiolo, P.A., on behalf of Kings Plaza, LLC. No presentation given as applicant was happy with staff's presentation.

With no comments or questions from the Commissioners or public; Chairperson Crow asked Christina LaVelle closing remarks; there were none.

Chairperson Crow closed the hearing asked for a motion on GPA23-01.

Commissioner J. Crow recommended approval of GPA23-01 subject to the conditions in the staff report.

Vice Chair Nyberg supported the motion.

With no further questions from the Commissioners. Chairperson Crow conducted a roll call vote.

All Commissioners voted Aye to approve GPA23-01.

Chairperson Crow: GPA23-01 has been recommended for approval as written. Mr. Gruber, what are the next steps in the process?

Chief Deputy Attorney Gruber: Your action with respect to GPA23-01 is not final the recommendation will be forwarded to City Council.

Chairperson Crow called for a motion on ZON23-01.

Vice Chair Nyberg recommended approval of ZON23-01 be approved as recommended.

Commissioner Hooper seconded the motion.

With no further questions from the Commissioners. Chairperson Crow conducted a roll call vote. All Commissioners voted Aye to approve ZON23-01.

Chairperson Crow: ZON23-01 has been recommended for approval subject to the stipulations outlined by staff. Mr. Gruber, what are the next steps in the process?

Chief Deputy Attorney Gruber: Like the companion piece, general plan our action with respect to ZON23-01 is not final the recommendation will be forwarded to City Council.

**3. ZON23-02 Entitlement request for approval of a rezoning application to amend an existing Planned Area Development (PAD).**

Chairperson Crow announced case ZON23-02.

Senior Planner, Christina LaVelle presented Case ZON23-02.

Applicant Cassandra Ayres on behalf with Berry Riddell, LLC. / CC Development LP Series III LLC. No presentation given as Applicant was happy with staff's presentation

With no comments or questions from the Commissioners or public; Chairperson Crow asked Christina LaVelle closing remarks; there were none.

Chairperson Crow called for a motion ZON23-02.

Commissioner Guers recommended approval of ZON23-02 be approved subject to the stipulations outlined by staff.

Commissioner Hooper seconded the motion.

With no further questions from the Commissioners. Chairperson Crow conducted a roll call vote. All Commissioners voted Aye to approve ZON23-02.

Chairperson Crow: ZON23-02 has been recommended for approval subject to the stipulations outlined by staff. Mr. Gruber, what are the next steps in the process?

Chief Deputy Attorney Gruber: Your action with respect to ZON23-02 is not final the recommendation will be forwarded to City Council.

**7. OTHER BUSINESS**

Ms. Perry: With regard to yearly training opportunities, we would like to acknowledge we need training, any specific items that you would like staff to focus on, please email Ms. Walker, and we will put a training agenda together and work through the Chair to start scheduling these meetings. These meeting would occur when we don't have a public hearing or during the second Thursday of the month to host those workshops.

- a. Yearly training opportunity for the Commissioners.

**9. PLANNING STAFF REPORT**

- a. Ms. Perry notes that future meeting scheduled for June 22, 2023, will also have a workshop for staff to ask Planning Commission to initiate an application.

**10. COMMISSION COMMENTS AND SUGGESTIONS**

There were none.

**11. NEXT MEETING**

The next regular meeting of the Planning Commission is scheduled for June 22, 2023, at 6:00 p.m., in the Council Chambers located at 5850 W. Glendale Ave, Glendale, Arizona, 85301.

**12. ADJOURNMENT**

Chairperson Crow motion to adjourn the public hearing.

Vice Chair Nyberg: So, moot.

Commissioner Geurs seconded the motion.

All Commissioners vote Aye.

Meeting adjourned at approximately 7:58 PM.

The Planning Commission meeting minutes of May 25, 2023, were submitted and approved this 22nd day of June 2023.

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Tawanda Walker-Hall  
Recording Secretary