

DRAFT



MINUTES REVISED

**PLANNING COMMISSION
GLENDALE CIVIC CENTER
5750 W. GLENN DR.
GLENDALE, ARIZONA 85301**

**AUGUST 24, 2023
6:00 P.M.**

1. CALL TO ORDER

Chairperson Crow called meeting to order at 6:00 pm.

2. ROLL CALL

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

Also Present: Tabitha Perry, Deputy Director, Development Services
James Gruber, Deputy City Attorney
Christina LaVelle, Senior Planner
Alex Lerma, Senior Planner
Sydney Tirella, Planner
Tawanda Walker-Hall, Recording Secretary

3. APPROVAL OF THE MINUTES

Chairperson Crow called for a motion to approve the minutes for Planning Commission Meeting and Workshop of June 22, 2023.

Vice Chair Nyberg motioned.

Commissioner Hooper seconded.

All Commissioners voted Aye. Motion passes.

a. Planning Commission Workshop Minutes of June 22, 2023

b. Planning Commission Meeting Minutes of June 22, 2023

4. **WITHDRAWALS AND CONTINUANCES**

There were none.

5. **PUBLIC HEARING ITEMS**

1. *CUP23-04 MODERN STAY - STAY APT - Conditional Use Permit (CUP) to allow for a hotel in the Sahuaro District.

Sr. Planner Lerma presented case CUP23-04.

Commissioner Cole asked if the police department is one of the departments that reviews applications.

Sr. Planner Lerma commented internal departments review the applications; to include transportation, engineering, building safety, environmental services, and planning.

Commissioner Cole stated due to the volume of concerns that information from the police department may be helpful.

Applicant Shaine Alleman, Tiffany & Bosco, P.A. / E & V Investments, LLC, made a presentation.

Chairperson Crow received 72 speaker cards; 21 residents spoke in opposition and 1 neutral non-resident expressed concerns about traffic, parking, hotel safety, building height, crime, noise, lighting, architecture, and site plans.

Deputy Director Perry's closing statement to the Planning Commission advising them of the normal process for a conditional use permit includes review by all city departments. If the permit is approved, there will be an administrative design review that includes all departments. This case adhered to the current zoning ordinance notification buffer which is 300 feet. Transportation determined a traffic study is not needed. Staff completed their professional assessment with the technical team, and the applicant considered the concerns of the residents.

Chairperson Crow closed the public hearing for CUP23-04.

Commissioner Geurs moved to approve CUP23-04 subject to the stipulation contained in the staff report.

Commissioner Cole seconded.

Commissioners expressed concerns about traffic and crime. Asked staff to obtain statistics from the police department.

Chairperson Crow consulted with the deputy attorney regarding motion set forth.

Deputy Attorney Gruber advised motion maker may abandon the motion and open another.

Commissioner Geurs withdrew the motion to approve CUP23-04.

Commissioner Cole motioned that CUP23-04 be continued to September 14, 2023.

Commissioner Geurs seconded.

Chairperson Crow conducted a roll call vote.

Vice Chair Nyberg voted Nay. All other Commissioners vote Aye.

Motion passes. CUP23-04 continued to September 14, 2023.

2. CUP23-12 TAKE 5 - Conditional Use Permit (CUP) to allow for an auto repair shop with three (3) drive-thru bays in the Cactus District.

Sr. Planner LaVelle presented case CUP23-12.

Applicant Jesse Macias, M3 Design, made a presentation.

Chairperson Crow closed the hearing for CUP23-12.

Commissioner Crow motioned to approve CUP23-12.
Commissioner Cole seconded.
Chairperson Crow conducted a roll call vote. All Commissioners voted Aye.
Chairperson Crow CUP23-12 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?
Deputy City Attorney Gruber your action with regard to CUP23-12 is final and subject to a written appeal received within 15 days.

3. CUP23-17 Dunkin' Donuts - Conditional Use Permit (CUP) to allow for a convenience land use in the Cactus District.

Sr. Planner LaVelle presented case CUP23-17.
Applicant representative Jason Rieke, Principal Architect of Bar Napkin, made a presentation.
Chairperson Crow closed the public hearing for CUP23-17.
Commissioner Hooper moved to recommend CUP23-17 per the findings and subject to the stipulations contained in the staff report.
Commissioner Cole seconded the motion.
Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.
Chairperson Crow CUP23-17 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?
Deputy City Attorney Gruber your action with regard to CUP23-17 is final and subject to a written appeal received within 15 days.

4. CUP23-14 FRY'S FUEL CENTER - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner Lerma presented case CUP23-14.
Applicant representative Eric Jester with Sustainable Engineering Group, LLC made a presentation.
Chairperson Crow closed the public hearing for CUP23-14.
Commissioner Cole moved to recommend CUP23-14 per the findings and subject to the stipulations contained in the staff report.
Vice Chair Nyberg seconded.
Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.
Chairperson Crow CUP23-14 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?
Deputy City Attorney Gruber your action with regard to CUP23-14 is final subject to a written appeal received within 15 days.

5. CUP22-12 EXPRESS CAR WASH - Conditional Use Permit (CUP) to allow for a convenience land use in the Ocotillo District.

Planner Tirella presented case CUP22-12.
Applicant representative Alan Jacobs with Carwash Pro Designers made a presentation.
Chairperson Crow closed the public hearing for CUP22-12.
Commissioner Cole moved to recommend CUP22-12 per the findings and subject to the stipulations contained in the staff report.
Commissioner Geurs seconded.
Chairperson Crow conducted a roll call vote. All Commissioners voted Aye.
Chairperson Crow CUP22-12 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?
Deputy City Attorney Gruber your action with regard CUP22-12 is final and subject to a written appeal received within 15 days.

6. CUP23-05 AMERICA FIRST CREDIT UNION - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner Lavelle presented case CUP23-05.

Chairperson Crow closed the public hearing for CUP23-05.

Commissioner Geurs moved to recommend CUP23-05 for approval per the findings and subject to the stipulations contained in the staff report.

Commissioner Hooper seconded.

Chairperson Crow conducted a roll call vote. Commissioners vote Aye.

Chairperson Crow CUP23-05 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?

Deputy City Attorney Gruber your action regarding CUP23-05 is final and subject to a written appeal received within 15 days.

7. CUP23-06 BIRDCALL - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner LaVelle presented case CUP23-06.

Chairperson Crow closed the public hearing for CUP23-06.

Commissioner Crow moved to recommend CUP23-06 per the findings and subject to the stipulations contained in the staff report.

Vice Chair Nyberg seconded.

Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.

Chairperson Crow CUP23-06 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?

Deputy City Attorney Gruber your action regarding CUP23-06 is final and subject to a written appeal received within 15 days.

8. CUP23-07 BURGER RUSH - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner LaVelle presented case CUP23-07.

The Chair received 5 speaker cards and 1 resident spoke on behalf of the group expressing concerns specifically about the drive in/out directly on Montebello Avenue. Concerns included traffic congestion and resident safety during recreational activities.

Applicant representative Rafat Abdeljaber (AJ) addressed concerns about traffic for Commissioners and residents.

Commissioner Crow moved to recommend CUP23-07 for approval per the findings and subject to the stipulations contained in the staff report.

Vice Chair Nyberg seconded.

Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.

Chairperson Crow CUP23-07 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?

Deputy City Attorney Gruber your action regarding CUP23-07 is final and subject to a written appeal received within 15 days.

9. CUP23-08 D'LITE HEALTHY ON THE GO - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner LaVelle presented case CUP23-08.

Chairperson Crow closed the public hearing for CUP23-08.

Commissioner Cole moved to recommend CUP23-08 per the findings and subject to the

stipulations contained in the staff report.

Commissioner Crow seconded.

Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.

Chairperson Crow CUP23-08 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?

Deputy City Attorney Gruber your action regarding CUP23-08 is final and subject to a written appeal received within 15 days.

- 10.** CUP23-09 JEREMIAH'S ITALIAN ICE - Conditional Use Permit (CUP) to allow for a convenience land use in Yucca District.

Sr. Planner LaVelle presented case CUP23-09.

Chairperson Crow closed the public hearing for CUP23-09.

Commissioner Cole moved to recommend CUP23-09 per the findings and subject to the stipulations contained in the staff report.

Commissioner Crow seconded.

Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.

Chairperson Crow CUP23-09 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?

Deputy City Attorney Gruber your action regarding CUP23-09 is final and subject to a written appeal received within 15 days.

- 11.** CUP23-10 STARBUCKS COFFEE - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner LaVelle presented CUP23-10.

Commissioners expressed concerns about the traffic patterns and possible congestion.

Chairperson Crow closed the public hearing for CUP23-10.

Commissioner Hooper moved to recommend CUP23-10 per the findings and subject to the stipulations contained in the staff report.

Vice Chair Nyberg seconded.

Chairperson Crow conducted a roll call vote. Commissioner Nowakowski voted Nay; all other Commissioners vote Aye.

Chairperson Crow CUP23-10 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber what are the next steps?

Deputy City Attorney Gruber your action regarding CUP23-10 is final and subject to a written appeal received within 15 days.

- 12.** CUP23-11 SENOR TACO - Conditional Use Permit (CUP) to allow for a convenience land use in the Yucca District.

Sr. Planner LaVelle presented case CUP23-11.

Chairperson Crow closed the public hearing for CUP23-11.

Commissioner Crow moved to recommend CUP23-11 for approval per the findings and subject to the stipulations contained in the staff report.

Vice Chair Nyberg seconded.

Chairperson Crow conducted a roll call vote. All Commissioners vote Aye.

Chairperson Crow CUP23-11 is recommended for approval subject to recommendations outlined by staff. Mr. Gruber, what are the next steps?

Duty City Attorney Gruber your action regarding CUP23-11 is final and subject to a written appeal received within 15 days.

6. OTHER BUSINESS

There were none.

7. PLANNING STAFF REPORT

There were none.

8. COMMISSION COMMENTS AND SUGGESTIONS

There were none.

9. CITIZEN COMMENTS

There were none.

10. NEXT MEETING

The next regular meeting of the Planning Commission is scheduled for September 14, 2023, at 6:00 p.m., in the Civic Center located at 5750 W. Glenn Avenue, Glendale, Arizona, 85301.

11. ADJOURNMENT

Chairperson Crow called for a motion to adjourn.
Vice Chair Nyberg motioned to approve.
Commissioner Cole seconded.
All Commissioners vote Aye.
Chairperson Crow adjourned the public hearing at 11:45 p.m.

The Planning Commission meeting minutes of August 24, 2023, were submitted and approved this ____ day of _____, 2023.

Tawanda Walker-Hall
Recording Secretary