

Planning & Zoning Commission
Municipal Court and Council Chambers
14455 W. Van Buren St., Suite B101
Goodyear, AZ 85338



Wednesday, May 12, 2021

6:00 p.m.

Meeting Minutes

CALL TO ORDER

Chairman Bray called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chairman Patrick Bray; Vice Chairman Randy Barnes; Commissioner Jason Kish; Commissioner Walter Steiner; Commissioner Gregg Clymer; Commissioner Brian Ellison

Absent: Commissioner Kathleen Molony

Vice Chairman Barnes attended the meeting telephonically.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Jason Kish to EXCUSE Commissioner Molony from the meeting. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Walter Steiner, Commissioner Gregg Clymer, Commissioner Brian Ellison

Other: Commissioner Kathleen Molony (Excused)

Passed - Unanimously

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on April 14, 2021.

MOTION BY Commissioner Jason Kish, **SECONDED BY** Commissioner Walter Steiner to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on April 14, 2021. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Walter Steiner, Commissioner Gregg Clymer, Commissioner Brian Ellison

Other: Commissioner Kathleen Molony (Excused)

Passed - Unanimously

PUBLIC COMMENTS

Non-Agenda items: This is the time for citizens who would like to address the Planning & Zoning Commission on any non-agenda item within the jurisdiction of the Goodyear Planning & Zoning Commission. Please complete a speaker card and give it to the Secretary. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record your name and whether you are a Goodyear resident. The Commission will listen to comments and may take any one of the following actions:

- Respond to criticism
- Request that staff investigate and report on the matter
- Request that the matter be scheduled for on a future agenda.

Agenda items: The Chairman will call for public comments as each agenda item is up for discussion. Please complete a speaker card for the Secretary, listing the agenda item on which you would like to speak. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record your name and whether you are a Goodyear resident.

None.

DISCLOSURE OF EX PARTE COMMUNICATIONS

This is an opportunity for Commission members to disclose any ex-parte communications they may have had prior to this meeting on any item scheduled for discussion on this agenda.

None.

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

- A. Open the Public Hearing
- B. Staff Presentation
- C. Applicant Presentation (if applicable)
- D. Receive Public Comment
- E. Close the Public Hearing

2. REZONE APPROXIMATELY 13.45 ACRES FROM AGRICULTURAL URBAN (AU) TO MF-12 FOR INNOVATION VILLAS ON SARIVAL

Chairman Bray opened the public hearing at 6:03 p.m.

Planner Christian Williams presented the request to rezone approximately 13.45 acres generally located north and northwest of Sarival Avenue and Yuma Road from Agricultural Urban (AU) to MF-12 for the development of Innovation Villas on Sarival. The applicant is requesting a zoning change from the current Agricultural Urban (AU) to MF-12 to facilitate the development of a multi-family development under the existing city of Goodyear Zoning District MF-12. An MF-12 Zoning District shall be developed under the Multi-Family and MF-12 Design Guidelines as outlined in the Goodyear Design Guidelines. Staff has added stipulations to restrict all residential buildings, on the property, to single-story as well as provided stipulations to address perimeter compatibility as well as vehicular and pedestrian connections to the adjacent Curtis Commons and Canyon Trails developments. Residents in the Curtis Commons development have requested that there be no pedestrian or vehicular access from the property onto existing public right-of-way of North 164th Lane. Although the applicant is open to this request, city staff cannot commit to this request at this time. The proposed zoning includes a stipulation that would allow for the construction of a wall that would prevent access subject to a determination by the City Engineer or his designee that there is

no need for such access. Hadley street access will be restricted to emergency access only as well as a pedestrian connection.

Commission asked about the entrances and exits for the property. Mr. Williams explained that the primary ingress and egress points will be from Sarival. There is an option for the applicant to work with Sarival Marketplace in order to have access through the southwest side of the property.

Commission asked whether a traffic light would be put in to accommodate this project. Mr. Williams explained that the entrance is restricted to a right in/right out.

Commission asked about the 2 dead ends that will be created at 164th lane and Hadley street. Mr. Williams explained that a pedestrian ingress/egress and emergency use only will be at the end of Hadley st. 164th is an existing road and does provide access for Roosevelt Irrigation District (RID) and the city cannot dictate what happens to the road.

Commission asked whether there are pictures of the project. Mr. Williams explained that this is a land use case only at this time, but there are parameters on the land use itself. The site plan would come after with elevations for staff approval.

Thomas Durant, representing the applicant, gave a presentation of the project. 151 total units within the property at a maximum of one story in height. The main entrance will be towards the southern boundary on Sarival. The pool was moved south in order to not be against existing residential. 164th access would be walled off with a gate for RID access only and residents would not be able to drive across it. Mr. Durant showed some preliminary elevations and would have a second neighborhood meeting to show the site plan.

Public Comments:

Resident Orene Smith expressed concerns about the parking so close to the fence of her property that is up against this project as well as noise and how the density will affect future home values.

Resident Wes Carlson explained his concern about having noise from the project 10 feet from his property line, the height of the carports, police and fire access that is close to his house, the number of units within the project, drainage from the project coming through his wall, the quality of the neighborhood, and resale values.

Resident Danna Kiracofe expressed concerns about adequate separation of the project from current residential properties, residential or foot traffic from 164th lane, the adjacent wall maintenance, RID canals, the size of the landscape setback and presented a petition to staff with 52 signatures opposing the rezone.

Resident Malfy Gonzalez stated that apartments so close to single family homes is not good for the community or property values. The wall from the single family residential is short and residents will be able to see over into the apartments. There are also concerns about noise.

Resident John Rael turned in a speaker card opposing the rezone but did not wish to speak.

Commission asked about the 30-foot setback and whether this is a typical setback for this type of community. Mr. Williams explained that the 30-foot setback is a building setback, it does not apply to parking or carports. Carports are accessory structures and the height of the structure and how many feet above the wall comes into effect when calculating the setback. The 30-foot setback is standard within the MF-12 zoning district, which this project is one of the first utilizing this new zoning district that was created last year. Development Services Director Christopher Baker stated that a conventional single family home typically has a rear yard setback of 20 feet.

Commission asked if there was a way to limit parking against the existing residential. Planning Manager Katie Wilken explained that side setbacks do not have to be entirely landscaped, but there is a 10-foot landscape setback on this project which cannot include parking or carports. Commission can add a stipulation that increases the landscape setback when voting. Mr. Williams stated that the applicant would be amenable to increasing the landscape setback to 15 feet. Ms.

Wilken confirmed with the applicant that they were also amenable to not having carports against the existing residential.

Commission asked about the location of the pool. The applicant's team confirmed that the pool is located on the southeast corner near the shopping center.

Commission asked about the RID access on 164th lane. The applicant's team stated that residents would not have pedestrian access. Commission asked whether it would be possible to add a stipulation to restrict access to 164th lane. Mr. Williams explained that it is a public right-of-way (ROW) and to restrict access through a zoning action becomes problematic. Ms. Wilken explained that there is a parcel owned by RID that connects to the ROW and staff would be concerned putting a stipulation in the zoning to restrict access. Mr. Baker explained that the building and fire code requires there to be a secondary access due to the number of units within the development.

Commission asked whether the applicant was willing to table this item in order to address the access issue. The applicant's team explained they are in negotiations to buy the RID canal and underground the canal. They will own the ROW and easement and have offered to abandon and dedicate 164th to the HOA. RID will still have access. Deputy City Attorney Sarah Chilton explained that there is a statutory process that has to be followed for abandonment of ROW, confirmation of access needed, utility locations, and other requirements. This process is not appropriate to be done within a zoning case.

Commission asked what the General Plan called for at the time the existing single family residences were constructed. Mr. Williams explained that the current General Plan designates this area as Neighborhood. Ms. Wilken stated that it looks like the previous General Plan for 2003-2014 designated this area as a mix of residential for 2-4 dwelling units per acre and commercial.

Commission reviewed the current stipulation of a 15-foot landscape buffer and no carports against existing residential. Mr. Williams stated that the 30-foot setback to the north is only a building setback and is not a parking setback. Ms. Wilken recommended the stipulation to read a 15-foot landscape buffer is required adjacent to single family homes, no carports shall be constructed adjacent to single family homes with the ability for staff to work on the language with legal.

A resident asked for clarification of the stipulation that Commission was discussing. Mr. Williams explained that the 15-foot landscape buffer would not allow for parking or buildings, this area would only contain landscaping or entrances to the site.

There being no further public comment, Chairman Bray closed the public hearing at 6:57 p.m.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Walter Steiner to RECOMMEND approval of case 20-200-00008 REZONE APPROXIMATELY 13.45 ACRES FROM AGRICULTURAL URBAN (AU) TO MF-12 FOR INNOVATION VILLAS ON SARIVAL with the stipulation that a 15-foot landscape buffer is required adjacent to single family homes and no carports shall be constructed adjacent to single family homes to be drafted by staff. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Jason Kish,
Commissioner Walter Steiner, Commissioner Gregg Clymer, Commissioner Brian Ellison

Other: Commissioner Kathleen Molony (Excused)

Passed - Unanimously

3. **VIEW 10 BUSINESS CENTER REZONING AND PAD OVERLAY**

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Walter Steiner to CONTINUE case 20-210-00005 VIEW 10 BUSINESS CENTER REZONING AND PAD OVERLAY to the June 9, 2021 Planning & Zoning Commission Meeting. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Jason Kish,
Commissioner Walter Steiner, Commissioner Gregg Clymer, Commissioner Brian Ellison
Other: Commissioner Kathleen Molony (Excused)
Passed - Unanimously

BUSINESS

4. PRELIMINARY PLAT FOR SILVA TRAILS AT WEST GOODYEAR

Planner Christian Williams presented the request for a preliminary plat for Silva Trails at West Goodyear subdividing approximately 138.81 acres into 616 lots and 57 tracts. The Silva Trails development has ingress and egress via private streets onto Van Buren Street, Citrus Road and Harrison Street.

Existing land uses and zoning surrounding the subject property include the following:

- North – Vacant property zoned General Commercial (C-2) and Cotton lane RV Park (zoned PAD);
- South – Vacant property owned by the city of Goodyear zoned Public Facilities District (PFD), Odyssey Preparatory Academy zoned (PAD) and Canyon Trails 4 West/Oasis at Canyon Trails (zoned PAD);
- East – Canyon Trails 4 West/Oasis at Canyon Trails (zoned PAD);
- West – County island, homes and vacant agricultural lands (largely zoned RU-43/city equivalent to AU (Agricultural Urban));

Silva Trails will adhere to the R1-4 Reduced city lot development standards with the exception of those modifications found within the PAD Overlay; the minimum lot depth has been reduced from 100-feet to 90-feet and the minimum lot size has increased from 4,500 square feet to 4,950 square feet. The typical lots within the subdivision will be 45-feet-wide by 120-feet-deep, 50-foot-wide by 120-feet-deep and 55-feet wide by 90-feet deep.

One stipulation contemplates an in-lieu payment for 25% of a future traffic signal that would be constructed at Citrus road and Van Buren street.

The applicant was available for questions.

MOTION BY Commissioner Walter Steiner, **SECONDED BY** Commissioner Jason Kish to RECOMMEND approval for case 20-500-00011 PRELIMINARY PLAT FOR SILVA TRAILS AT WEST GOODYEAR. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Jason Kish,
Commissioner Walter Steiner, Commissioner Gregg Clymer, Commissioner Brian Ellison
Other: Commissioner Kathleen Molony (Excused)
Passed - Unanimously

5. PRELIMINARY PLAT FOR AIRPARK LOGISTICS CENTER

MOTION BY Commissioner Jason Kish, **SECONDED BY** Commissioner Brian Ellison to CONTINUE case 20-500-00001 PRELIMINARY PLAT FOR AIRPARK LOGISTICS CENTER to the June 9, 2021 Planning & Zoning Commission Meeting. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Jason Kish,
Commissioner Walter Steiner, Commissioner Gregg Clymer, Commissioner Brian Ellison
Other: Commissioner Kathleen Molony (Excused)

Passed - Unanimously

6. **CIVIC SQUARE UPDATE**

Development Services Director Christopher Baker gave an overview of the groundbreaking and an update of the Goodyear Civic Square project located at McDowell and 150th drive.

STAFF COMMUNICATIONS

Development Services Director Christopher Baker reviewed the cases previously presented to Commission.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on June 9, 2021 at 6 p.m. at the Goodyear Municipal Court and Council Chambers.

ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 7:14 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Patrick Bray, Chairman

Date: _____