

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



Wednesday, July 7, 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 Kathleen Molony;
Commissioner Walter Steiner; Commissioner Gregg Clymer; Commissioner Brian Ellison

Absent: Commissioner Jason Kish

Vice Chairman Barnes attended the meeting telephonically.

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

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on May 12, 2021 and June 9, 2021.

MOTION BY Commissioner Walter Steiner, **SECONDED BY** Commissioner Brian Ellison to
APPROVE the draft minutes of the Planning and Zoning Commission meeting on May 12, 2021.

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Commissioner Walter Steiner to
APPROVE the draft minutes of the Planning and Zoning Commission meeting on June 9, 2021.

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

Other: Commissioner Jason Kish (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.

Jason Nuttall from the Liberty Elementary School District began to speak about the La Privada rezone. Deputy City Attorney Sarah Chilton recommended that the speaker save his comments until the the public hearing for item #6.

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. AMENDMENT TO LOT 19 OF THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT

Chairman Bray opened the public hearing at 6:06 p.m.

Planning Manager Katie Wilken, presented the request to amend the Palm Valley Crossing Planned Area Development (PAD) to allow an indoor gun range as a permitted use on Lot 19 of the PAD located at the northwest corner of Auto Drive and 137th Avenue. The amendment will only apply to Lot 19, as established within the PAD and Palm Valley Crossing final plat. The Property is zoned PAD (Planned Area Development), with the PAD known as Palm Valley Crossing. The PAD is a regional commercial development generally located at the southeast corner of I-10 and Litchfield

Road. Automotive, retail and service uses are permitted within the Palm Valley Crossing PAD. Pursuant to the PAD, the Property is designated with the Automotive Related Commercial and Service Commercial/Commerce (ARC/SC) land use categories.

The request is to allow an indoor gun range as a permitted use on Lot 19 of the Palm Valley Crossing PAD. Lot 19 consists of 4.54 acres. The Property is developed. Development includes three buildings and associated landscaping, parking and utilities. Other than the amendment to allow an indoor gun range on Lot 19, no other amendments, modifications, or changes to existing permitted uses are proposed to the Palm Valley Crossing PAD. As such, given the limited scope of this request, no departmental or functional impacts are anticipated and therefore not addressed in this staff report.

Staff finds the request to allow an indoor gun range as a permitted use on Lot 19 to be in conformance with the General Plan. As previously noted, the Property is located within an area intended for business and commerce use by the General Plan. An indoor gun range can be considered as an appropriate use in a commercial zone and complementary to the sale of firearms, which is already permitted by right in the Palm Valley Crossing PAD. Allowing an indoor gun range on Lot 19 is consistent with the uses permitted on a significant portion of the PAD, including the adjoining Lot 15 to the north of the Property. Staff further finds allowing an indoor gun range on Lot 19 as a permitted use, subject to the stipulations set forth in Ordinance 2021-1510, will not adversely impact the surrounding area as the use will occur indoors, within a fully enclosed building. Additionally, the Property is located within an area developed with existing commercial and light industrial uses, with similar characteristics related to traffic, noise and lighting, among others. And an indoor gun range is already a permitted use within a large segment of the PAD. Regarding nearby residential uses, there are no adjacent residential developments to be adversely affected by this commercial use, with the nearest residential developments located approximately 1,300 feet to the south (multi-family) and 1,400 feet to the east (single family). Given this distance from the Property, these developments should not be adversely affected by the proposed use of the Property for an indoor gun range.

Shaine Alleman, representing the applicant, was available for questions.

Commission asked how big the building is to accommodate the gun range. Mr. Alleman told Ms. Wilken that the entire building is 36,000 square feet. Ms. Wilken explained that Shooter's World will occupy the entire building and there will not be shared tenants. There are other buildings on the same lot.

Mr. Alleman stated that he agreed with the staff recommendation and gave a brief overview of the project.

There being no public comment, Chairman Bray closed the public hearing at 6:14 p.m.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Kathleen Molony to RECOMMEND approval for case 21-200-00011 AMENDMENT TO LOT 19 OF THE PALM VALLEY CROSSING PLANNED AREA DEVELOPMENT. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

3. **USE PERMIT FOR A CONVENIENCE USE (CONVENIENCE STORE WITH GAS STATION)**

Chairman Bray opened the public hearing at 6:15 p.m.

Assistant Planner Jason Bray presented item #3 and #9 together. The request is for a use permit request for convenience use (convenience store with gas sales) on property zoned C-2 (GENERAL COMMERCIAL). The parcel was zoned AG (Agriculture) until it was rezoned to C-2 (General Commercial) on May 14, 2007 via ordinance 07-1070. A preliminary plat encompassing the subject property is being reviewed concurrently with this use permit which will subdivide APN 500-10-709 into three parcels. The parcel closest to the corner of McDowell and Bullard will be the 2.5-acres for the QuikTrip site, to be known as Lot 1. To the west, on Lot 2, there is a use permit for a car wash use proposed that is currently under staff review. Lot 2 will be approximately 1.3 acres. Lot 3 is proposed to be approximately 2 acres and there is no development proposal for the lot at this time.

The applicant is requesting approval of a Use Permit to facilitate the development of a QuikTrip convenience store with gas sales on property zoned C-2 (General Commercial). The subject property consists of undeveloped area which will be subdivided to create three new lots, one of which will house the QuikTrip. The QuikTrip parcel will be approximately 2.5 acres. The parcel will be located at the intersection of McDowell Road and Bullard Avenue. The preliminary site plan includes an approximately 5,000 square-foot convenience store with a 7,300 square-foot fuel canopy providing 16 fueling stations. Customers will have access to the corner plaza being constructed by the property owner with the first phase of development which will include a seating area. Vehicular access to the parcel will be provided off of McDowell Road as well as Bullard Avenue. Vehicular access will also be provided by internal drives within the commercial center. The convenience use is proposed at the intersection of two arterial streets. The Zoning Ordinance states convenience uses should not be located on an arterial street corner unless the City Council finds the development mitigates the potential impacts of having such a use on the corner. The City's Design Guidelines states convenience uses are to provide structural and design elements that anchor the building to the corner. Given the highly visible location of the proposed convenience use, staff, the applicant, and property owner collaborated on the design of the building elevations. The intent was to ensure that the building met the City's design guidelines. The end result is a building design that incorporates some of the corporate identity desired by QuikTrip while adhering to the City's design guidelines. The convenience use is proposed to operate 24 hours a day, seven days a week. The Use Permit does not propose any restrictions on the hours or days of operation.

Jonathan Naut, representing the applicant, was available for questions.

Commission asked how far away the other QuikTrip on Estrella Pkwy is from this location. Planning Manager Katie Wilken explained that this QuikTrip is approximately 1 mile west and 1 mile south of the other location.

Commission asked how many fuel pumps the other QuikTrip has. Mr. Naut explained that the standard amount of fuel pumps is 16, he does not recall how many pumps the other location has.

There being no public comment, Chairman Bray closed the public hearing at 6:24 p.m.

Ms. Wilken asked that item #3 and item #9 be voted on during this time, both the use permit and preliminary plat for QuikTrip.

Management Assistant Alissa Magley clarified that the case # for the use permit is incorrect on the agenda. The case # for the use permit is 20-300-00013 and the preliminary plat is 20-500-00012.

MOTION BY Commissioner Walter Steiner, **SECONDED BY** Commissioner Brian Ellison to RECOMMEND approval for case 20-300-00013 USE PERMIT FOR A CONVENIENCE USE (CONVENIENCE STORE WITH GAS STATION). The motion carried by the following vote:

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

Passed

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Brian Ellison to RECOMMEND approval for case 20-500-00012 PRELIMINARY PLAT FOR QUIKTRIP STORE #1417. The motion carried by the following vote:

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

NAY: Commissioner Kathleen Molony

Other: Commissioner Jason Kish (Excused)

Passed

4. **PLANNED AREA DEVELOPMENT AMENDMENT TO AMEND THE RESTATED AND AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH**

Chairman Bray opened the public hearing at 6:29 p.m.

Principal Planner Karen Craver presented the request for a Planned Area Development (PAD) Amendment to add approximately 14 acres at the southeast corner of Estrella Parkway & Lower Buckeye Parkway to the existing 254.5-acre Ballpark Village & Ballpark Village - South PAD on the east side of Estrella Parkway south of Yuma Road, and to rezone the approximately 14 acres to the existing PAD underlying RES/MXD zoning designation. In May of 2007, the Wood Corporate Campus and Ballpark Village Final Planned Area Development and Design Guidelines was approved by the City Council, facilitating the development of the Goodyear Ballpark, the Cleveland Indians Development Complex, and the Cincinnati Reds Development Complex. In December of 2014, Communities Southwest (CSW) purchased all non-City owned property within the PAD, and, in May of 2017, City Council rezoned the property by adopting Ordinance No. 17-1347 approving the Ballpark Village & Ballpark Village – South Restated & Amended Final PAD dated April 28, 2017 (the “2017 PAD”). The 2017 PAD, among other things, changed the approved land use within Ballpark Village – South from business/office park to single and multi-family residential, and CSW then sold the Ballpark Village – South property. In 2021, El Dorado Ballpark Village LLC, which purchased approximately 43 acres in Ballpark Village – South, processed a PAD Amendment to modify the multi-family density ranges and maximum building heights in Ballpark Village – South. The PAD Amendment was approved by the City Council on March 1, 2021, with the adoption of Ordinance No. 2021-1494.

Ballpark Village and Ballpark Village – South is separated by 14 acres of undeveloped property located at the southeast corner of Estrella Parkway and Lower Buckeye Parkway. The 14 acres is currently included in the City Center Airpark Planned Area Development (PAD) approved in December 2006. Approximately 6 of the 14 acres is designated as C-2, General Commercial and approximately 8 of the 14 acres is designated as I-1, Light Industrial zoning. Given its location and because of the prior rezoning of Ballpark Village South to residential, staff believed that the 14 acres was more appropriately zoned for uses consistent with the Ballpark Village & Ballpark Village – South PAD. Staff sought and received approval from SunMP to rezone the 14 acres. After receiving SunMP’s approval, staff initiated this rezoning request.

The purpose of the proposed rezoning is two-fold. The first is to include 14 acres located at the southeast corner of Estrella Parkway and Lower Buckeye Parkway into the Ballpark Village & Ballpark Village – South PAD and allow it to be developed under the existing RES/MXD land use category. The second purpose of the proposed rezoning is to clean up the PAD. There are redundancies in the PAD which are being eliminated in the proposed Restated and Amended Final Planned Area Development for Ballpark Village & Ballpark Village – South PAD dated July 2021 (the “July 2021 PAD”). Minor modifications to the development standards are included in the proposed July 2021 that eliminate the cap on the maximum number of residential dwelling units. The number of residential dwelling units that can be developed will be limited by applicable density ranges and applicable development standards (i.e. open space requirements, set-backs, etc.). Similarly, the

proposed July 2021 PAD further clarifies that there are no maximum densities for the RES/MXD and MXD land use categories. The 14 acres to be developed at whatever density can be attained within the applicable development standards (i.e., minimum lot area, width, building setbacks, open space, maximum building height, and coverage). Finally, the proposed July 2021 PAD eliminates inconsistencies by modifying definitions and the existing residential permitted use matrix to distinguish residential permitted land uses from building types. For instance, under the current PAD, apartments, which are probably the most common type of multi-family building type, were not permitted in certain residential zoning categories, but other building types essentially undistinguishable from apartments, flats and stacked flats were permitted and also permitted in all residential categories were “similar residential uses that meet the intent of this PAD.”

To clear up the inconsistencies, the proposed July 2021 PAD identifies as permitted land uses more general categories of land uses such as detached & attached single family and multi-family as land use types rather than building types. Under the proposed July 2021 PAD, any building type that is consistent with the land use category can be developed. This approach is consistent with development under the City Zoning Ordinance. In addition, a definition was added for Residential Mixed-Use, which is currently a permitted land use, but had not been specifically defined.

Ed Bull, representing the current property owner, agreed with the staff recommendation.

There being no public comment, Chairman Bray closed the public hearing at 6:36 p.m.

MOTION BY Commissioner Walter Steiner, **SECONDED BY** Commissioner Gregg Clymer to RECOMMEND approval for case 21-210-00001 PLANNED AREA DEVELOPMENT AMENDMENT TO AMEND THE RESTATED AND AMENDED FINAL PLANNED AREA DEVELOPMENT FOR BALLPARK VILLAGE & BALLPARK VILLAGE - SOUTH. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

5. **REZONE FOR ESTRELLA COMMONS DISTRICT**

Chairman Bray opened the public hearing at 6:37 p.m.

Senior Planner Alex Lestinsky presented the request to rezone approximately 27 acres from Preliminary PAD to C-2 and MF-24 with a PAD Overlay. The request is to remove the subject property from the Estrella Commons Preliminary PAD zoning and rezone it to the City's General Commercial (C-2) and Multifamily (MF-24) residential zoning districts with a PAD Overlay. The PAD Overlay provides for the following deviations:

- Additional Permitted Uses (C-2): Drive-through restaurants and Convenience Uses (service stations) have been added to the permitted uses of the C-2 district. The developer currently has two drive-through restaurants and a gas station user who plan to locate in the subject property. A preliminary site plan, which includes the layout of these uses, was provided with the rezone application narrative. Although not approved with the rezoning request the general layout of the pads as depicted in the PAD Overlay Development Regulations Exhibit B – Conceptual Phasing Plan provides for an overview of the site layout. Each pad will require a separate site plan review and approval. Allowing these uses will eliminate the need for additional public hearings for each user. If this request is approved, there will not be a use permit for any drive-through or gas station presented to Planning & Zoning Commission or City Council.
- Development Standards (C-2):
 - Landscape Setback between C-2 and MF-24 – This is proposed to be reduced from 10' to 0'. The MF-24 side will include the additional setback on their side with a 6' wall, 5' sidewalk and 5' landscape buffer to provide for pedestrian connectivity to the commercial pads.

- Drive-through windows – Similar to other recent drive-through requests, some of the drive-through restaurants are anticipating a drive-through window facing a public street. The PAD Overlay includes requirements that these windows are fully screened which is consistent with what similar projects have provided throughout the city.
- Development Standards (MF-24):
 - Landscape Setback (north) – The Zoning Ordinance requires that the setback abutting a public street be entirely landscaped. The proposed deviation allows the trash enclosure/compactor to locate within the 30' landscape setback on the north edge of the property. This location sets it away from the single-family residents to the east and out of view from the Roosevelt entry and commercial center. The northern boundary is also screened from the freeway by a 12' noise wall.
 - Landscape Setback (East) – The applicant is providing a 15' landscape buffer along the eastern boundary adjacent to the single-family homes. This will provide a landscaped buffer between the single-family homes and the carports. Carports are not permitted within the 15' landscape setback. Additionally, carport lighting adjacent to single-family residential is required to be appropriately shielded as included in the Development Standard.
 - Accessory Building Height – The request is to increase the maximum accessory structure height from 12' to 22'
- Design Guidelines – supplemental design guidelines have been included in the PAD Overlay to implement a cohesive design throughout the center.

Commission asked if there was a road that runs between the commercial and multi-family projects. Ms. Lestinsky stated that there is a road running in between the multi-family and commercial portions of the property.

Commission asked about the setback on the east side of the property and whether it is consistent with previous projects, as well as whether the building height for this project is consistent with past projects presented to Commission. Planning Manager Katie Wilken explained that the previous project seen by Commission near the Fry's Shopping Center that included apartments near residential had a 15-foot landscape setback. They were limited to 1 story. Ms. Lestinsky explained that the height for MF-24 standards have a building height standard that will not be changing, this request is asking for accessory building height changes from 12 feet to 22 feet. Ms. Lestinsky reviewed the landscape and building setbacks being requested.

Commission asked about access to the commercial portion of the project. Ms. Lestinsky explained that there are main entries to the project from Estrella Parkway but there are not direct entrances to the buildings from Estrella Pkwy.

Commission discussed the adjacent single family residential and how close the multi-family buildings would be to future single family homes.

Ed Bull, representing the applicant, gave a presentation of the project, reviewing the history of the property and the current zoning request.

Commission asked about the height of the buildings behind the new single family residential homes. Mr. Bull explained that the multi-family is planned for 3-story buildings. There is a similar development nearby that has not received any complaints. There are 2 lots that side with the multi-family with a few others that back up to it. There is also open space along there. If they are showing up as owners of record, they were all invited to a neighborhood meeting for this project.

There being no public comment, Chairman Bray closed the public hearing at 7:09 p.m.

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Commissioner Gregg Clymer to RECOMMEND approval for case 21-200-00002 REZONE FOR ESTRELLA COMMONS DISTRICT. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

6. **REZONE APPROXIMATELY 240.32 ACRES LOCATED AT THE NORTHWEST CORNER OF 181st AVENUE AND YUMA ROAD FROM R1-4, R1-6 AND R1-7 TO R1-4 (SINGLE-FAMILY DETACHED) ZONING DISTRICT, WITH R1-4 REDUCED DEVELOPMENT STANDARDS WITH A PAD OVERLAY**

Chairman Bray opened the public hearing at 7:10 p.m.

Planner Christian Williams presented the request to rezone approximately 240.32 acres located at the northwest corner of 181st Avenue and Yuma Road from R1-4, R1-6 and R1-7 to R1-4 (Single-Family Detached) zoning district with R1-4 Reduced Development Standards with a PAD Overlay. The proposed rezoning includes 240.32 acres of property generally located at the northwest corner of 181st Avenue and Yuma Road (the "Property"). The Property is located within West Goodyear and consists of two of the original West Goodyear Properties: La Privada (approximately 198 acres) and Paseo Place Parcel 1 (formerly known as Lees 40 and then as Paseo Ridge Phase 2) (approximately 43.53 acres).

Paseo Place Parcel 1 was zoned Agricultural Urban (AU) in 2006 by Ordinance 2006-1015 when the property was annexed into the City. Paseo Place was subsequently rezoned to R1-6, single-family zoning district by Ordinance No. 2006-1016. La Privada was zoned Agricultural Urban (AU) in 2006 by Ordinance No. 2006-1013 when the property was annexed into the City. La Privada was subsequently rezoned to Planned Area Development with underlying lot size of R1-6 and R1-7 by Ordinance 2006-1014 and included provisions for a school site to be adjacent to another school site in Amber Meadows; together these sites would create a larger school site. In 2018, La Privada was rezoned by Ordinance No. 2018-1411, the approximately 198 acres of La Privada were rezoned from PAD to approximately 69 acres of R1-7, approximately 48 acres of R1-6 and approximately 76 acres of R1-4. When the various properties known as the West Goodyear Properties, including the Property, were annexed into and/or sought to rezone their respective properties, the owners of the properties caused the preparation of regional water and wastewater master studies and amendments thereto to identify the regional water and wastewater lines that had to be constructed to serve the West Goodyear properties.

The City adopted Resolution of Intention No. 06-1064 as amended by Resolution No 14-1621 and Resolution No. 16-1747 to allocate the costs of the regional water lines identified in the master water study as amended among the benefited properties (referred to herein as the "Cost Recovery Resolution – Water Delivery Lines") and adopted Resolution of Intention No. 06-1065 as amended by Resolution No 14-1622 and Resolution No. 16-1748 to allocate the costs of the regional wastewater lines identified in the master wastewater study as amended among the benefited properties (referred to herein as the "Cost Recovery Resolution – Wastewater Trunk Lines").

The current proposed rezoning seeks to replace previous zoning cases with an R1-4 (Single-Family Detached) zoning district with R1-4 Reduces Development Standards and a PAD Overlay. The maximum number of dwelling units that will be developed on the Property is 1,200. The change in zoning does not impact the regional water and wastewater lines that are needed to serve the Property and the Property Owner is responsible for either constructing the lines identified in the cost recovery resolutions and/or paying cost recovery payment for the costs of the lines constructed by others identified in the cost recovery resolutions as benefiting the Property.

The applicant is requesting a zoning change from the currently approved Paseo Place Parcel 1 (R1-6) and La Privada R1-7, R1-6 and R1-4 to R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards with a PAD Overlay for a development to be referred to collectively as La Privada. The PAD Overlay modifies the foregoing standards as follows: all lots within the development shall be a minimum lot width of 40 feet; a minimum of 35% of lots shall be 45-feet wide and 120 feet deep; a minimum of 25% of lots shall be 50-feet wide and 120 feet deep; a minimum of 15% of lots shall be 55-feet (or wider) and 120 feet deep (or deeper).

La Privada will adhere to the R1-4 (Single Family Detached) Zoning District as modified by the R1-4 Reduced Development Standards, as modified by the PAD Overlay.

The proposed rezoning requires additional amenity elements, connectivity elements and streetscape elements be provided. The proposed zoning ordinance includes stipulations requiring these amenity elements, connectivity elements and streetscape elements be provided. They include the following:

To meet the two (2) required Amenity Elements, the development will:

- Additional Park Space - A 6.5-acre centralized park will be located at the heart of the community. It will be supported by a localized usable active open space area. The 6.5-acre centralized park shall include a "community center". The "community center" shall consist of a covered and connected community space (this may be an outdoor community center designed to feel like a unified outdoor building) that allows for small and large group gatherings and will surround a centralized event lawn space. Clustered adjacent to the community center and centralized event lawn shall be: a shaded or trellised outdoor kitchen preparation facility (with a built-in countertop sink and a minimum of two gas barbeque grills); a splash fountain with perimeter seating; a shaded or covered permanent game tables/areas "game room" including games such as ping pong, chess/checkers tables, cornhole, bocce ball and/or the like; a gas fireplace; and a fire pit with seating. The community center shall be adjacent to sports courts such as basketball courts and pickleball courts. The Final elements of the Additional Amenities shall be refined with staff to collectively be of an equal or greater quality to those described above.
- Tot Lots and sport courts shall be located within each of the parcels identified in the Land Use Plan except for parcel 6 which will be dedicated as a school site.

In order to meet the four (4) required Connectivity Elements, the development will:

- Be Considered In-fill – Project will be considered in-fill.
- Provide Trail System Connections that include
- A 6-foot paved pedestrian trail along the western bank of and Emergency Conveyance Channel that has to be constructed, which shall have trail markers and include fitness stations and provide a minimum of four (4) informal gathering and resting stations; and
- An 8-foot decomposed granite/bridle/equestrian trail along the eastern and northern boundaries of the Property; and
- A private system of paved 5-foot wide off-street trails shall be provided which interconnect the development parcels and connect all the development parcels to the centralized park and pavers, colored concrete or stamped concrete within the sections of the streets within the Property where the trails cross the streets; and
- Cause the construction of the Maricopa Trail along Yuma Road which shall include a minimum of an 8-foot concrete sidewalk with 2-feet of compacted decomposed granite on both sides of the concrete sidewalk (which are level with the concrete sidewalk) and shall be setback a minimum of 12-feet from the curb of Yuma Road; and
- Create a raised median island within 183rd Avenue right-of-way in front of the centralized park, to provide traffic calming elements, and mid-block pedestrian refuge to the central park.
- Provide Lot Diversity - In order to ensure lot diversity within the R1-4 Reduced Zoning district, a minimum of 35% of lots shall be 45-feet wide and 120 feet deep; a minimum of 25% of lots shall be 50-feet wide and 120 feet deep; a minimum of 15% of lots shall be 55-feet (or wider) and 120 feet deep (or deeper). By way of comparison a standard R1-4 Reduced lot may be as small as 40-feet-wide by 100-feet-deep or 4,000 square feet.
- Limited Subdivision of Perimeter Wall – On the perimeter of the subdivision, perimeter walls shall only be constructed for individual lots; the rear of lots along the western side of the Emergency Conveyance Channel shall have View Walls with 4-feet block and a minimum of 2-feet of wrought iron on top and the eastern boundary along the Emergency Conveyance Channel shall remain open.

To support the R1-4 Reduced Development Standards, the development of the Property has to include a minimum of four (4) Streetscape Elements as set forth in Section 3-2-3 of the Goodyear Zoning Ordinance that create a sense of place and ensure the smaller lot developments are of high quality. The Owner has agreed to incorporate features intended to create a sense of place for the West Goodyear Properties centered around their agrarian history. These features, which are set forth below and are included in the ordinance, satisfy one of the four required Streetscape

Elements.

- West Goodyear Streetscape Design –
 - A minimum of five (5) shaded agrarian or trellis style seating areas shall be provided within the development as act as a decorative focal node within the community in focal point areas and
 - Incorporate West Goodyear design elements at or near the community entrances off of Yuma Road at 183rd Avenue at Perryville Road and Harrison Street, the words “West Goodyear” will appear on a trellis, monument sign or similar agrarian element. The minimum text height of “West Goodyear” shall be 10-inches

Three (3) additional Streetscape Elements will need to be incorporated into the development of the Property, but they have yet to be finalized. These additional elements will be finalized as part of the preliminary plat review. Owner is considering the following Streetscape Elements that, if incorporated into the development, would satisfy the Streetscape requirements of section 3-2-3 of the Goodyear Zoning Ordinance:

- Sidewalk and Landscape Enhancements
 - Detached Sidewalks - 5 and a half-foot wide planter adjacent to all local roads in interior of the development with HOA maintained landscape strips except that the minor collectors within the interior of the development and along the perimeter of the Property may have 4-foot wide planters adjacent to the roadways with an 8-foot concrete sidewalk on one side of the roadway and an 8-foot wide decomposed granite trail on the other side of the roadway.
 - Decorative pavers, colored concrete and/or stamped concrete, and/or other material as approved by the Zoning Administrator, Engineering and Public Works, on driveways of all lots within the Property (between the sidewalk and the house).
 - Decorative pavers, colored concrete and/or stamped concrete, and/or other material as approved by the Zoning Administrator, Engineering and Public Works, at the main intersections into the development as well as along all parcel entrances along 183rd Avenue and Harrison Street.

Mr. Williams explained a stipulation change in Stipulation 7.

Shaine Alleman, representing the applicant, gave a brief overview of the project and was available for questions.

Planning Manager Katie Wilken read an email into the record from the Amber Meadows development which was opposed to statements indicating a school site would be located within Amber Meadows.

Commission discussed the potential school site within Amber Meadows and La Privada. Deputy City Attorney Sarah Chilton explained that the narrative is not adopted and should not affect the consideration of this ordinance. The intent when this was started in 2005 was that there would be a school site due to the amount of residential being developed in an area without school infrastructure. La Privada has committed to providing half a school site. Ms. Wilken clarified that the Amber Meadows PAD does designate that site as a school site and a zoning application has not been received from Amber Meadows.

Jason Nuttall, representing the Liberty Elementary School District, expressed appreciation for being able to partner with La Privada and Amber Meadows and the Council's dedication to education.

Bill Lanier Jr., who lives in the County near the project, asked for clarification on the size of the equestrian/conveyance channel, the proposed density for this project, whether there would be ingress or egress from 181st ave, and details of the wall.

Mr. Williams reviewed the conveyance channel, specifically the wall that would be 2 feet of wrought iron on top of a 4 foot block wall, located on the far west side of the conveyance channel. Mr. Alleman stated that the total distance, including the channel, is 130 feet.

There being no further public comment, Chairman Bray closed the public hearing at 7:37 p.m.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Kathleen Molony to RECOMMEND approval for case 20-200-00003 REZONE APPROXIMATELY 240.32 ACRES LOCATED AT THE NORTHWEST CORNER OF 181st AVENUE AND YUMA ROAD FROM R1-4, R1-6 AND R1-7 TO R1-4 (SINGLE-FAMILY DETACHED) ZONING DISTRICT, WITH R1-4 REDUCED DEVELOPMENT STANDARDS WITH A PAD OVERLAY with the minor amendment and stipulations. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

7. USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH)

Chairman Bray opened the public hearing at 7:38 p.m.

Planning Manager Katie Wilken presented the request for use permit for a convenience use (restaurant with drive-through) within the Centerra Crossing Planned Area Development (PAD) located at the southeast corner of Estrella Parkway and Van Buren Street. The applicant is requesting a use permit for a convenience use (Salad and Go restaurant with drive-through) on a 1.1-acre parcel within the Centerra Crossing PAD. The Property is designated for commercial use and will be developed in accordance with the PAD's design guidelines and city's C-2 (General Commercial) zoning district. As required in the C-2 zoning district, a restaurant with a drive-through must obtain approval of a use permit prior to development.

The proposed use will consist of a Salad and Go restaurant with drive-through. The restaurant will consist of a single story, 758 square-foot building. The configuration of the primary drive-through lanes has customers entering from the west and traveling through the site to access the drive-through window located on the north side of the building. Customers will then exit to the west, with the option to go either north or south.

The city's design guidelines require drive-through lanes to provide queuing for five cars (150 feet) measured from the first stopping point (i.e. order board). While the drive-through lanes each provide queuing for approximately five cars from the first stopping point, the lengths do not meet the 150-foot standard. But while the lengths do not conform to the design guidelines, it was considered an acceptable deviation, to provide a greater separation between the ordering/menu boards, and resultant speaker noise, and the multi-family residential development to the east. In addition to the conventional drive-through lanes, food sales/pick-up will also occur from a pedestrian window located on the west side of the building and from a vehicular pick-up window on the south side of the building. However, this vehicular pick-up window is for online/remote purchases only, and per the applicant, does not require any vehicle queuing since customer pick-up times are assigned at time of order.

Parking for the proposed convenience use will be provided onsite in conformance with city standards. The building design will primarily utilize the materials and colors approved for Centerra Crossing. Accent colors have also been proposed for use on the building and drive-through canopies. Final building design will be approved at time of site plan review and approval.

Commission asked for clarification on the amount of parking spaces on the site. Ms. Wilken stated that there are 7 parking spaces.

Rajesh Gore, representing the applicant, agreed with the staff recommendation and was available for questions.

There being no public comment, Chairman Bray closed the public hearing at 7:45 p.m.

MOTION BY Commissioner Brian Ellison, **SECONDED BY** Commissioner Gregg Clymer to RECOMMEND approval for case 20-300-00001 USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH). The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

8. **USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH)**

Chairman Bray opened the public hearing at 7:46 p.m.

Planning Manager Katie Wilken presented a request for use permit for a convenience use (restaurant with drive-through) within the Pebble Creek Marketplace Planned Area Development (PAD) located at the southwest corner of PebbleCreek Parkway and McDowell Road. The 1.9-acre subject property is located within the Pebble Creek Marketplace PAD. This commercial PAD was approved on March 26, 2007 with the adoption of Ordinance No. 2007-1061. The PAD was subsequently amended on November 17, 2014 with the adoption of Ordinance No. 14-1314. This amendment was to facilitate the development of a WinCo Foods. A preliminary plat encompassing the subject property was approved by the City Council on September 14, 2015. The subsequent final plat for Pebble Creek Marketplace was approved on August 20, 2018. The subject property is Lot 6 of the final plat.

The applicant is requesting a use permit for a convenience use (restaurant with drive-through) on a 1.9-acre parcel within the Pebble Creek Marketplace PAD. As previously noted, the Property is designated for commercial use and will be developed in accordance with the PAD's design guidelines and city's C-2 (General Commercial) zoning district. As required in the C-2 zoning district, a restaurant with a drive-through must obtain approval of a use permit prior to development. The proposed use will consist of a restaurant with drive-through. The restaurant will be located within a portion of a 10,914 square-foot building proposed on Lot 6. The configuration of the drive-through lane has customers entering from the west and accessing the pick-up window on the west side of the building. Customers will then exit and have the opportunity to travel back into the center or go east to the primary ingress/egress point for the center. The drive-through lane provides queuing in conformance with city standards. Parking for the proposed convenience use will be provided onsite in conformance with city standards. The design of the building was previously approved with the adoption of the design guidelines for the Pebble Creek Marketplace. However, modifications to the building and surrounding hardscape are proposed to accommodate the new drive-through restaurant. These modifications include the construction of required drive-through screen walls, an enhanced portico over the drive-through window, and the creation of a new pedestrian plaza. The proposed modifications appear to be in conformance with both the design guidelines for the Pebble Creek Marketplace and city.

Commission asked for clarification on the access to the drive-thru. Ms. Wilken reviewed how customers will enter the site and the entrance to the drive-thru.

John Dorsett, representing the applicant, reviewed the stores that will be going into the center.

There being no public comment, Chairman Bray closed the public hearing at 7:52 p.m.

MOTION BY Commissioner Walter Steiner, **SECONDED BY** Commissioner Gregg Clymer to RECOMMEND approval for case 20-300-00014 USE PERMIT FOR A CONVENIENCE USE (RESTAURANT WITH DRIVE-THROUGH). The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

BUSINESS

9. **PRELIMINARY PLAT FOR QUIKTRIP STORE #1417**

This item was presented and voted on with agenda item #3.

10. **COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR CIVIC SQUARE**

Planning Manager Katie Wilken presented the request for approval of a comprehensive sign package (CSP) for the Goodyear Civic Square. The property subject to this CSP is a part of the Goodyear Civic Square Planned Area Development (PAD). The PAD was approved on July 8, 2019, with City Council adoption of Ordinance No. 2019-1440. The intent of the Goodyear Civic Square PAD is to create an urban, pedestrian-oriented development that will be a center for civic administration, services and events. The area is also intended for the development of higher intensity office and commercial development. Another key component of the PAD is the allowance of higher density residential development, which will support the commercial development anticipated in the area and help activate the civic spaces.

The request is for the approval of a CSP for Parcel A, which is to be developed as the Goodyear Civic Square. As the development will contain a diverse and unique mix of civic and private uses, including office, commercial retail and services, and high density residential, the CSP includes many types and styles of signage. A cohesive materials and color palette with a complementary design theme is intended to provide for a unified campus setting.

Ms. Wilken reviewed the various signs that are included in the package, the locations and deviations from the zoning ordinance.

Commission discussed the amount of signs within other centers.

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Commissioner Walter Steiner to RECOMMEND approval for case 21-630-00002 COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR CIVIC SQUARE. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

STAFF COMMUNICATIONS

None

NEXT MEETING

The next Planning and Zoning Commission Meeting will be held on August 11, 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 8:04 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Patrick Bray, Chairman

Date: _____