

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



**Wednesday, September 15, 2021**

**6:00 p.m.**

**Meeting Minutes**

## **CALL TO ORDER**

Vice Chairman Barnes 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 Kathleen Molony; Commissioner Brian Ellison

Absent: Commissioner Gregg Clymer

Chairman Bray attended the meeting telephonically.

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

AYE: Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Kathleen Molony, Commissioner Brian Ellison

Other: Commissioner Gregg Clymer (Excused)

Passed - Unanimously

## **APPROVE MINUTES**

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on August 11, 2021.

**MOTION BY** Commissioner Jason Kish, **SECONDED BY** Commissioner Brian Ellison to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on August 11, 2021. The motion carried by the following vote:

AYE: Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Kathleen Molony, Commissioner Brian Ellison

Other: Commissioner Gregg Clymer (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 40-ACRES FROM R1-6 (SINGLE-FAMILY) TO MF-12 AND MF-24 FOR COTTON COMMONS**

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

Planner Christian Williams presented the request to rezone approximately 40-acres generally located southwest of 173rd Avenue and Lower Buckeye Road from R1-6 (Single-Family Residential) to MF-12 and MF-24 for the development of Cotton Commons. The owner is seeking to rezone approximately 19.18 acres of the Property located on the east side of the Property to MF-12 (Multi-Family Residential) (the "MF-12 Parcel") and to rezone approximately 20.95 acres on the west side of the Property to MF-24 (Multi-family Residential) (the "MF-24 Parcel"). An MF-12 Parcel will be developed under the Multi-Family and MF-12 Design Guidelines as outlined in the Goodyear Design Guidelines and the MF-24 Parcel will be developed under the Multi-Family Design Guidelines as outlined in the Goodyear Design Guidelines and subject to additional stipulations.

Staff has added stipulations to address continuity within the surrounding community of West Goodyear as well as product color and aesthetics to provide for more diversity in product offerings.

Mr. Williams reviewed other multi-family developments in the area and the various stipulations added to this project.

Commission asked if a road is intended to go south of the site. Mr. Williams explained that there is a power line corridor with a landscape open space over 100 feet side going east to west. There is a road planned to go north and south called 175th avenue that will feed into El Cidro.

Commission asked for clarification on whether the new density fits within the General Plan. Mr. Williams stated that multi-family is allowed within the Neighborhoods category of the General Plan.

Commission asked for clarification on the type of product and the amount of stories that will be involved with this project. Mr. Williams explained that the east side of the project is anticipated to be single story or single family rentals. The west side of the project will be capped at 30 feet tall for the southern most 100 feet and 40 feet tall for the remainder of the project. The eastern side of the property is limited to 25 feet tall.

Wendy Riddell, representing the applicant, gave an overview of the project. Ms. Riddell reviewed the power line corridor, adjacent future school site, line of sight from existing residential to the south and adjacency to the loop 303 freeway. Ms. Riddell filled out a speaker card in support of the project.

Nine households spoke in opposition to the rezoning request. Chris and Monica Hurtado, Ashley Ruthford, Lou McBee, John Boswell, Robert Leslie, Thomas Hawks, Aneita Cook, Danny Michel, and Taylor Gartzk-Benner. The speakers expressed concerns over the loss of views, increased traffic, decreased property values, increased crime, lack of maintenance, use of adjacent open space, noise, transient renters and homelessness. Two speaker cards were submitted by Justin Tomlinson and Briana Navejar in opposition to the staff recommendation but did not wish to speak.

Lou McBee asked whether residents talking during the public hearing have an effect on projects. Commission explained that Council ultimately has the final approval, Planning and Zoning Commission forwards a recommendation to Council. The opinion of surrounding neighborhoods is taken into account along with staff recommendation.

Vice Chairman Barnes closed the public hearing at 6:51 p.m.

Commission asked for clarification on the southern setback of the MF-24 area. Mr. Williams explained that there is a stipulation for the southernmost 100 feet of the property, the height is limited to 30 feet.

Commission discussed the proximity of the 303 to this project. Commission asked when the loop 303 will be done. Mr. Williams stated that the last he heard, it was closer to 2027-2028.

Commission discussed bringing businesses to West Goodyear, Lower Buckeye street improvements, the loop 303 alignment, and adjacent properties.

**MOTION BY** Commissioner Jason Kish, **SECONDED BY** Chairman Patrick Bray to RECOMMEND approval of case 21-200-00005 REZONE APPROXIMATELY 40-ACRES FROM R1-6 (SINGLE-FAMILY) TO MF-12 AND MF-24 FOR COTTON COMMONS. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Commissioner Jason Kish, Commissioner Kathleen Molony, Commissioner Brian Ellison

NAY: Vice Chairman Randy Barnes

Other: Commissioner Gregg Clymer (Excused)

Passed

### 3. LAKIN PARK BUNGALOWS PAD OVERLAY

Chairman Bray left the meeting at 7:10 p.m.

Senior Planner Alex Lestinsky presented the request to rezone approximately 20 acres south of MC-85, west of Cotton Lane to Planned Area Development (PAD) under the Lakin Park Bungalows PAD, designated for multifamily. The approximate 20 acres is being rezoned to MF-24 (Multi-Family Residential) with a PAD Overlay (the Lakin Park Bungalows PAD Overlay). Under the proposed rezoning, the Property is to be developed in accordance with all requirements of the Goodyear Zoning Ordinance, including the development standards applicable to MF-24 (Multi-Family Residential) Zoning District except as modified by the PAD Overlay.

The PAD overlay reduces the rear set back to 20', requires that all setbacks fronting public streets be fully landscaped, allows for the development of single family rent apartments, and imposes some additional design requirements if the single family for rent apartments are developed on the Property rather than apartment buildings. The General Plan designates the property as Business & Commerce. The Business & Commerce land use permits higher density residential zoning districts. The subject property includes ~15 acres that were already designated as MF-24 within the overlay and adds the adjacent 4.8 acres, 2.8 of which were recently annexed into the city. The added 4.8 acres is already abutting the existing multifamily piece and is adjacent to MC-85 and the Buckeye Canal. Because of these site constraints, including this piece into the PAD and making it consistent with the abutting property is good planning practice. The addition of this parcel also provides for more MC-85 frontage allowing better access to the proposed multifamily development.

Vice Chairman Barnes opened the public hearing at 7:12 p.m.

Commission asked if this project was similar to the product offered at 167th avenue and Portland. Planner Christian Williams explained that La Ventilla has platted lots while this project is on a single lot. Ms. Lestinsky explained that this is for rent and cannot be purchased.

Kyle Barichello, representing the applicant, gave an overview of the project.

There being no public comment, Vice Chairman Barnes closed the public hearing at 7:15 p.m.

**MOTION BY** Commissioner Kathleen Molony, **SECONDED BY** Commissioner Brian Ellison to RECOMMEND approval for case 21-200-00004 LAKIN PARK BUNGALOWS PAD OVERLAY. The motion carried by the following vote:

AYE: Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Kathleen Molony, Commissioner Brian Ellison

Other: Chairman Patrick Bray (Excused), Commissioner Gregg Clymer (Excused)

Passed - Unanimously

4. **REZONE APPROXIMATELY 12.7 ACRES FROM COMMERCIAL PAD (PLANNED AREA DEVELOPMENT)/C-2 (GENERAL COMMERCIAL) TO MF-24 WITH CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY**

Vice Chairman Barnes opened the public hearing at 7:16 p.m.

Vice Chairman Barnes called for a recess at 7:19 p.m.

Vice Chairman Barnes called the meeting to order at 7:20 p.m.

Planner Christian Williams presented the request to rezone approximately 12.7 acres generally located southeast of Cotton Lane and Canyon Trails Boulevard from Commercial Planned Area Development (PAD)/C-2 (General Commercial) to MF-24 with Canyon Trails Towne Center Residences Planned Area Development (PAD) Overlay.

The zoning for this property is Commercial Planned Area Development (PAD)/General Commercial

(C-2) as established in 2005 through Ordinance No. 2005-942. Previous to the 2005 zoning, the entire 91-acre area that now encompasses Canyon Trails Towne Center was zoned for a mix of single-family residential, townhomes, court homes, multi-family residential and commercial land use designations under the Canyon Trails Phase I PAD via Ordinance No. 99-649; specifically, where the Canyon Trails Towne Center Residences proposed to be located today, the original Canyon Trails Phase I PAD zoning called for approximately 9 acres of townhomes and 4 acres of court homes.

The current proposed to rezone 12.7 acres of the commercial portion of the larger 91-acre site back to a residential use in the form of multi-family to create a horizontally mixed-use commercial and residential center.

The use of a PAD Overlay is justified as the current development standards for the MF-24 zoning district do not address some of the unique circumstances found within this horizontally mixed-use development. The proposed PAD overlay will modify the MF-24 standards. In addition to modifying certain setbacks, recreational open space, private open space and noise level requirements, the PAD Overlay contains standards to enhance architecture, pedestrian connectivity, amenities and continuity within the existing center.

As the existing property lines fall within the private streets, the side setback is clarified to ensure a minimum of 10-feet of landscaping will be installed between the private streets and buildings. The east (rear setback) has been reduced by 10 feet down to 20 feet to provide more continuity between the existing commercial and the future residential to provide more of a mixed-use feel.

Ed Bull, representing the applicant, gave an overview of the project.

Linda Esposito spoke in opposition to the project, expressing concern over the density, transients, and the location for this project.

Mr. Bull explained that this will be a gated community and security is very important.

Commission asked for clarification on where residents are located near this project. Mr. Williams gave an overview of where the residential neighborhoods were in relation to this project.

There being no further public comment, Vice Chairman Barnes closed the public hearing at 7:40 p.m.

**MOTION BY** Commissioner Jason Kish, **SECONDED BY** Commissioner Kathleen Molony to RECOMMEND approval for case 21-200-00003 REZONE APPROXIMATELY 12.7 ACRES FROM COMMERCIAL PAD (PLANNED AREA DEVELOPMENT)/C-2 (GENERAL COMMERCIAL) TO MF-24 WITH CANYON TRAILS TOWNE CENTER RESIDENCES DEVELOPMENT REGULATIONS MF-24 WITH PAD OVERLAY. The motion carried by the following vote:

AYE: Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Kathleen Molony, Commissioner Brian Ellison

Other: Chairman Patrick Bray (Excused), Commissioner Gregg Clymer (Excused)

Passed - Unanimously

## BUSINESS

### 5. PRELIMINARY PLAT FOR LA PRIVADA PARCELS 3 AND 7

Planner Christian Williams presented the request for a Preliminary Plat for La Privada Parcels 3 and 7 subdividing approximately 87.82 acres of the approximate 240.32 acres rezoned by Ordinance No.2021-1505 into 284 lots and 28 tracts.

On July 19, 2021, the City Council adopted Ordinance No. 2021-1505 rezoning approximately 240.32 Acres generally located at the northwest corner of 181st Avenue and Yuma Road (the "La Privada Property") to R1-4 (Single Family Detached) Zoning District with R1-4 Reduced Development Standards and a PAD Overlay for a development to be known as La Privada, which designated the parcels for single-family residential uses.

Commission asked how much a traffic signal typically costs. Mr. Williams explained that a traffic signal could cost around \$500,000.

**MOTION BY** Commissioner Brian Ellison, **SECONDED BY** Commissioner Jason Kish to RECOMMEND approval for case 21-500-00003 PRELIMINARY PLAT FOR LA PRIVADA PARCELS 3 AND 7. The motion carried by the following vote:

AYE: Vice Chairman Randy Barnes, Commissioner Jason Kish, Commissioner Kathleen Molony, Commissioner Brian Ellison

Other: Chairman Patrick Bray (Excused), Commissioner Gregg Clymer (Excused)

Passed - Unanimously

#### STAFF COMMUNICATIONS

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

#### NEXT MEETING

The next Planning and Zoning Commission Meeting will be held on October 13, 2021 at 6 p.m. at the Goodyear Municipal Court and Council Chambers.

#### ADJOURNMENT

There being no further business to discuss, Vice Chairman Barnes adjourned the meeting at 7:48 p.m.

Respectfully Submitted by:

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Alissa Magley, Commission Secretary

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Patrick Bray, Chairman

Date:\_\_\_\_\_