

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



Wednesday, October 13, 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 Gregg Clymer; Commissioner Brian Ellison

Absent: Commissioner Jason Kish

Vice Chairman Barnes attended the meeting telephonically.

MOTION BY Commissioner Brian Ellison, **SECONDED BY** Commissioner Gregg Clymer 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 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 September 9, 2021 and September 15, 2021.

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Commissioner Brian Ellison to APPROVE the draft minutes from the September 15, 2021 meeting. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Commissioner Brian Ellison to APPROVE the draft minutes from the September 9, 2021 meeting. The motion carried by the following vote:

AYE: Chairman Patrick Bray, Vice Chairman Randy Barnes, Commissioner Kathleen Molony, 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.

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 FOR HANCOCK AT CANYON TRAILS NORTH

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

Senior Planner Alex Lestinsky presented the request for a rezone to approximately 31 acres within the Canyon Trails Phase 1 PAD, from PAD to MF-12 with a PAD Overlay. The request is to remove the subject property from the Canyon Trails Phase I PAD and rezone it to the City's Multifamily (MF-12) residential zoning district with a PAD Overlay to reduce the rear setback, which is along the eastern boundary of the Property, from 30' to 20'. Staff supports the reduction in the rear set-back for two reasons. First, the eastern boundary abuts a 100+ open space trail which provides additional separation from the existing single family to the east. Additionally, this 20' setback is consistent with many of the other MF-12 PADs recently approved within the city. The documents provided in the project narrative, including the conceptual site plan are conceptual and are not being approved with this rezoning action. Stipulation #2 requires a separate site plan and design review for the property. The city's MF-12 Design Guidelines require three elevation types and three color schemes, which meets the desire of Council to implement a variety in building elevations and color variations for this type of product.

Commission asked whether the homes would be for rent or own. Ms. Lestinsky stated that she believed they will be for rent.

Commission asked how the new density for the rezone compared to the previous density. Ms. Lestinsky explained that the previous zoning anticipated courthomes and townhomes and would have been between 7-12 dwelling units per acre. The new zoning will be approximately 11 dwelling units per acre.

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

There being no public comment, Chairman Bray closed the public hearing at 6:11 p.m.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Kathleen Molony to RECOMMEND approval for case 21-200-00006 REZONE FOR HANCOCK AT CANYON TRAILS NORTH. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

3. **USE PERMIT FOR A CONVENIENCE USE (JAMBA/MCALISTER'S DELI RESTAURANT WITH DRIVE-THROUGH)**

Chairman Bray opened the public hearing at 6:12 p.m.

Principal Planner Steve Careccia presented the request for a use permit for a convenience use (Jamba/McAlister's Deli restaurant with drive-through) generally located at the southeast corner of Palm Valley Boulevard and McDowell road within the Palm Valley Phase I Planned Area Development (PAD). The applicant is requesting a use permit for a convenience use (restaurant with drive-through) on a 1.88-acre parcel within the Palm Valley Phase I 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 combined Jamba and McAlister's Deli restaurant with two drive-throughs. The restaurant will consist of a single story, 4,598 square-foot building. The site configuration provides drive-through components for each restaurant user. The drive-through for the Jamba is a conventional drive-through with menu boards for onsite ordering. The drive-through for the McAlister's Deli is for remote ordering only. The Jamba drive-through window will be located on the east side of the building while the McAlister's Deli drive-through window will be located on the west side. The

entrance to both drive-through lanes occurs on the west side of the property with exiting to the south and north. As a conventional drive-through restaurant, the drive-through lane for the Jamba will provide queuing for up to nine cars from the first stop (menu board). The drive-through for the McAlister's Deli will provide queuing space for six cars. Both drive-through lanes will be in conformance with the city's queuing requirements. Parking for the proposed convenience use will be provided onsite in conformance with city standards. But if additional overflow parking should be needed, cross access and shared parking agreements exist for the Palm Valley Cornerstone center. The building design will utilize the design, materials and colors approved for Palm Valley Cornerstone. Final building design will be approved at time of site plan review and approval.

Commission asked whether there was indoor dining. Mr. Careccia explained that there is a dine-in area and also an outdoor patio.

Commission asked whether 2 drive-throughs had been done before in the city. Mr. Careccia explained that this is a new concept but would have the applicant answer further. Kirk Farrelly, representing the applicant, explained that this is the first time within the country that these 2 users will be within the same building.

Commission asked what the city requirement to queuing is for drive-throughs. Mr. Careccia stated that the requirement is a 5 car minimum queue to the first stopping point.

There being no public comment, Chairman Bray closed the public hearing at 6:22 p.m.

MOTION BY Commissioner Brian Ellison, **SECONDED BY** Commissioner Kathleen Molony to RECOMMEND approval for case 21-300-00003 USE PERMIT FOR A CONVENIENCE USE (JAMBA/MCALISTER'S DELI RESTAURANT WITH DRIVE-THROUGH). The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

4. **USE PERMIT FOR A CONVENIENCE USE (SUPERSTAR CAR WASH)**

Chairman Bray opened the public hearing at 6:23 p.m.

Principal Planner Steve Careccia presented the use permit request for a convenience use (car wash) on property zoned C-2 (General Commercial) located west of the southwest corner of McDowell Road and Bullard Avenue. The subject property is zoned C-2 (General Commercial). The parcel was rezoned from AG (Agricultural) to C-2 (General Commercial) on May 14, 2007 with the adoption of Ordinance No. 07-1070. A site plan for the overall commercial area that included the subject property was approved on April 21, 2010 (Case No. 08-600-00021). The site plan included two hotels, shops and restaurants. A site plan revising the site layout for the two hotels was approved on September 12, 2018 (Case No. 18-600-00011). A comprehensive sign package (CSP) that included the subject property was approved on September 13, 2010 (Case No. 08-630-00013). This CSP provided signage for the two hotels and accompanying commercial users. The subject property was included in a preliminary plat approved on July 19, 2021. The preliminary plat subdivided a larger 5.8-acre property into three lots. Lot 1 is located at the southwest corner of McDowell Road and Bullard Avenue. This 2.5-acre lot is intended for a QuikTrip fuel station with convenience store. The subject property is designated as Lot 2 and located west of Lot 1. Lot 3 is proposed to the west of Lot 2 and encompasses two acres. At this time, there are no formal development plans for Lot 3.

The applicant is requesting approval of a use permit to facilitate the development of a Superstar Car Wash on property zoned C-2 (General Commercial). The car wash will be located on a proposed

parcel located near the southwest corner of Bullard Avenue and McDowell Road. The conceptual site plan includes an automated car wash and associated facilities. The 4,487 square-foot main building includes the car wash tunnel, an office, equipment space, restroom, vending machine area, fire riser room, and vacuum equipment room. The site will also include three self-service pay stations, 28 covered vacuum parking spaces, three employee parking spaces and four bicycle spaces. The parking canopies are intended to provide shade while customers vacuum their vehicles. The car wash building is oriented north-south, with the tunnel entrance facing south towards I-10 and the exit facing north towards McDowell Road. Customers will remain in their vehicles throughout the pay and wash processes. Customers may vacuum their vehicles at one of the 28 covered self-vacuum parking spaces prior to or after the tunnel wash. Given the highly visible location of the proposed convenience use, staff, the applicant, and property owner collaborated on the design of the building elevations and site. The intent was to ensure that the building met the city's design guidelines and regulations for convenience uses. The end result is a building and site design that incorporates some of the corporate identity desired by car wash operator while adhering to the city's design guidelines. In accordance with city requirements that do not allow car wash bays/openings to front onto a public street, the applicant chose to screen the car wash tunnel exit facing McDowell Road with a 42-inch masonry wall and landscape berm placed in front of the wall. A site plan was submitted concurrently with this request for use permit. Site plan approval will be subject to use permit approval.

The proposed car wash will include equipment to wash, dry and vacuum vehicles, with such equipment capable of producing higher levels of noise compared to other general commercial uses. To help address this issue, the application indicates such equipment will be housed within enclosures or inside the car wash tunnel to help capture noise and prevent trespass. Furthermore, the applicant conducted a noise assessment that identified the existing background noise level (46 dBA) for the surrounding area. The assessment also modeled anticipated noise levels at five locations (46-55 dBA) around the site, assuming operation of the car wash. The noise assessment indicated the highest noise levels would be generated at the tunnel entrance and exit, with noise levels dropping to near background levels towards the southern and eastern measurement locations. To ensure actual operational noise levels are consistent with the findings of this assessment, a stipulation of approval will require a noise analysis to be conducted prior to the opening of the car wash. Should the noise analysis show that operational noise levels exceed those levels identified in the noise assessment and stipulations, the owner/operator will be required to modify the site and/or car wash equipment in order to achieve conformance with the assessment and stipulations. Failure to achieve such noise level reductions could prevent the opening of the car wash facility to the public or cessation of operation, should excessive noise levels become an issue in the future. Regarding persons residing in the area, the nearest residential development to the subject property is a multi-family development located approximately 1,340 feet to the northeast. The nearest single family development is located approximately 2,000 feet to the east, within Palm Valley. Given these separations, it is anticipated that the operation of the car wash should not have any detrimental effect, including noise trespass, on these residential developments.

Commission asked about the southern internal road and traffic impacts to Bullard and McDowell. Mr. Careccia explained that there were staff concerns about traffic on Bullard and McDowell and fire lane circulation. A stipulation was added in order to have assurance that there would not be traffic issues. If needed, there would need to be a traffic management plan approved by the Fire Chief and City Engineer.

Commission asked if it was possible to turn into the site from Bullard, going north. Mr. Careccia reviewed the map and it appears that there is a turn into the center from the northbound lanes of Bullard.

Commission commented that there is a carwash on Pebble Creek Parkway and another south of that.

Jason Doughty, representing the applicant, was available for questions and explained that a traffic study was performed and gave a brief overview of operations.

There being no public comment, Chairman Bray closed the public hearing at 6:41 p.m.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Kathleen Molony to RECOMMEND approval for case 20-30000002 USE PERMIT FOR A CONVENIENCE USE (SUPERSTAR CAR WASH). The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

BUSINESS

5. COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR PROFESSIONAL PLAZA

Principal Planner Steve Careccia presented the request for approval of a comprehensive sign package (CSP) for the Goodyear Professional Plaza located at the northwest corner of I-10 and Bullard Avenue. The proposed sign package is for signage for Lot 3C of the Minor Land Division. Lot 3C is 1.92 acres and was zoned C-2 (General Commercial) on May 14, 2007 by Ordinance No. 07-1070. The signage established within the 2010 CSP includes:

- Four Monument Signs (two fronting Bullard and two fronting McDowell Rd.)
- Two On-Site Vehicular Directional Signs to be constructed along internal site medians
- Requirements for Wall Mounted Signs based on the type of occupancy
- Requirements and standards for all signs

The purpose of a CSP is to provide a comprehensive and coordinated approach to the design of signage that exhibits superior quality and effective messaging. The request is for approval of a new CSP for the property. The new CSP will replace the existing 2010 CSP currently applicable to the property. A new CSP is being requested to reflect the use of the property for professional offices and to request a larger allocation of signage. The CSP contains criteria for building wall signage and one monument sign along Bullard Avenue. For wall signage, the CSP establishes sign envelopes on the building along with a maximum cap on the amount of signage permitted on each building elevation. Wall signage will consist of aluminum reverse pan channel letters. If illuminated, halo backlighting will be utilized. The 2010 CSP provides for two monument signs along Bullard Avenue. The signs would be 13 feet high with 103 square feet of copy area. The subject request for CSP proposes a third monument sign along Bullard Avenue that would be dedicated to the office building tenants. The monument sign is proposed at 14 feet, six inches in height with 113 square feet of copy area. The monument sign would be located at least 150 feet from any future monument signs along Bullard Avenue.

Paul and Michael Faith, representing the applicant, were available for questions and gave a brief overview of the project.

Commission expressed appreciation at having a local family business within Goodyear and office space within the city as well.

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Commissioner Gregg Clymer to RECOMMEND approval for case 21-630-00001 COMPREHENSIVE SIGN PACKAGE FOR THE GOODYEAR PROFESSIONAL PLAZA. The motion carried by the following vote:

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

Other: Commissioner Jason Kish (Excused)

Passed - Unanimously

STAFF COMMUNICATIONS

Development Services Director Christopher Baker reviewed cases previously heard before the Commission.

Planning Manager Katie Wilken reminded Commission of the special meeting on November 3, 2021 at the Goodyear Recreation Campus.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on November 3, 2021 at 6 p.m. at the Goodyear Recreation Campus.

ADJOURNMENT

There being no further business to discuss, Chairman Bray adjourned the meeting at 6:53 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Patrick Bray, Chairman

Date: _____