

DRAFT

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



Wednesday, January 12, 2022

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 Kathleen Molony; Commissioner Gregg Clymer; Commissioner Brian Ellison

Vice Chairman Barnes attended the meeting telephonically.

APPROVE MINUTES

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

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Jason Kish to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on December 1, 2021. The motion carried by the following vote:

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

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 29 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO MF-24 WITH THE ESTRELLA SPRINGS AND SUNCREST VISTA AT CANYON TRAILS MF-24 WITH PAD OVERLAY**

Chairman Bray opened the public hearing at 6:02 p.m.

Planner Christian Williams presented the request to rezone approximately 29 acres generally located southeast of Cotton Lane and Van Buren Street (the "Property") from Planned Area Development (PAD) to MF-24 with the Estrella Springs and Suncrest Vista at Canyon Trails MF-24 with Planned Area Development (PAD) Overlay. The applicant is requesting the Property be rezoned to MF-24 Multi-family Residential District with a Planned Area Development (PAD) Overlay to facilitate the development of two distinct multi-family developments. The standards and requirements in the Zoning Code, including those applicable to development within a MF-24 Zoning District, will apply to the development of the Property, except as modified by the PAD Overlay.

The PAD Overlay provides for modifications of otherwise applicable development regulations based on the nature of the proposed developments. The PAD Overlay provides for modifications applicable to the northern approximate 10-acres of the Property (the "North Zone") and separate modifications applicable to the southern approximate 19-acres of the Property (the "South Zone") and it includes some modifications applicable to the entire Property. The Property will be developed in two parts. The North Zone will be an age-restricted community expected to be known as "Suncrest Vista". This will be a senior housing development and is considered multi-family housing. It differs from assisted living in that each of these units are individual households and have full kitchen facilities. The South Zone is not age-restricted and is expected to be known as "Estrella Springs."

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 the proposed senior and family residential multi-family developments. Although the PAD Overlay provides certain reductions in standards, certain reductions are warranted because of the large open space area between this site and the adjacent single-family development. The PAD Overlay includes provisions that would

apply if, at some time in the future, the Property was split into two separate legal lots (the North Zone and the South Zone.) The PAD Overlay is supported by a number of enhancements, including required amenities, additional design requirements intended to provide for diversity in structures and to provide for the development to be compatible with adjacent neighborhoods.

The proposed zoning incorporates a landscape and open space requirements with key features including: (a) diverse active and passive open space amenities, (b) connectivity throughout the site, (c) private open space integral to the open community courtyards, and (d) connectivity to the public realm. Approximately 40% of this is planned to be dedicated as active open space, such as recreational amenities, trails, usable turf, seating and gathering areas; this is double what is required under MF-24. The proposed zoning provides for a series of distinct amenity areas featuring the pool & sunbathing, play & fitness, backyard BBQ, and yoga garden themes. Ancillary amenities are also provided in the courtyards and throughout the Site, such as BBQ facilities, shaded seating areas, grass play areas, and bike storage/ maintenance area. The level of amenities proposed in this development is not required in a typical multi-family community; the Zoning Ordinance only requires Recreational Open Space and does not require buildings or programmed facilities. This zoning requires amenities above and beyond Recreational Open Space and require high quality gathering spaces, programmed facilities and active open spaces. The main gathering areas are furnished with comfy chairs, tables and lounge areas.

Commission asked for clarification on the location of the exits and whether another exit was needed. Mr. Williams reviewed the 2 exits off Van Buren st. and explained that at the site plan stage, additional exits for emergency fire access would be reviewed.

Ed Bull, representing the applicant, was available for questions.

John Behlke, Goodyear resident, expressed the need for more green space, trees and open space rather than a multi-family development.

There being no further public comment, Chairman Bray closed the public hearing at 6:23 p.m.

MOTION BY Commissioner Kathleen Molony, **SECONDED BY** Chairman Patrick Bray to RECOMMEND approval for case 21-200-00008 REZONE APPROXIMATELY 29 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO MF-24 WITH THE ESTRELLA SPRINGS AND SUNCREST VISTA AT CANYON TRAILS MF-24 WITH PAD OVERLAY. The motion carried by the following vote:

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

Passed - Unanimously

3. **USE PERMIT FOR A CONVENIENCE USE (BIKINI BEANS DRIVE-THROUGH COFFEE SHOP)**

Chairman Bray opened the public hearing at 6:24 p.m.

Principal Planner Steve Careccia presented the request for use permit for a convenience use (Bikini Beans drive-through coffee shop) proposed on a 1.1-acre parcel within the Cobblestone Creek commercial center located at the northwest corner of Pebblecreek Parkway and McDowell Road. The commercial center is located within the Palm Valley Phase VIII Planned Area Development (PAD). The proposed convenience use will be a Bikini Beans drive-through coffee shop. The restaurant will consist of a single-story, 830 square-foot building. Beverages (coffee and energy drinks) and pre-packaged food products may be obtained from the drive-through window or walk-up window. A 760 square-foot outdoor seating area will be provided. There is no indoor dining. Remote ordering is not offered at this time.

The site will include a double lane drive-through. Customers will enter the drive-through lane and place their order at the drive-through window. Beverages and food products will be picked-up and

paid for at that same window. Parking for the proposed convenience use will be provided onsite in conformance with city standards. If additional overflow parking should be needed, cross access and shared parking agreements exist for the center. The building design will utilize the materials and colors approved for the Cobblestone Creek center. Final building design will be approved at time of site plan review and approval.

Commission asked what the name of the coffee shop was. Mr. Careccia stated that the name the project was submitted under was Bikini Beans coffee shop in the staff report.

Commission asked whether a screen wall would be tall enough to screen headlights. Mr. Careccia explained that there is an existing screen wall that is in accordance with regulations in order to screen headlights.

There being no public comment, Chairman Bray closed the public hearing at 6:32 p.m.

MOTION BY Commissioner Gregg Clymer, **SECONDED BY** Commissioner Jason Kish to RECOMMEND approval for case 21-500-00002 USE PERMIT FOR A CONVENIENCE USE (BIKINI BEANS DRIVE-THROUGH COFFEE SHOP). The motion carried by the following vote:

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

NAY: Commissioner Kathleen Molony

Passed

BUSINESS

4. PRELIMINARY PLAT FOR COTTON LANE COMMERCE PARK

Principal Planner Karen Craver presented the request for a Preliminary Plat for Cotton Lane Commerce Park subdividing approximately 66.97 acres within the El Cidro PAD into two industrial lots. The subject property is located at the southwest corner of W. Elwood Street and S. Cotton Lane, extending south to Broadway Road. The subdivision is intended to facilitate the development of industrial uses on the property in accordance with the El Cidro PAD and the underlying city I-2 - General Industrial Zoning District. Although the El Cidro PAD had established the I-2 - General zoning on the Property, the two site plan options are for typical light industrial warehouse distribution buildings.

Commission commented on the two site plan options and how it was a great idea to have alternate options and make the process better for customers.

MOTION BY Commissioner Jason Kish, **SECONDED BY** Commissioner Gregg Clymer to RECOMMEND approval for case 21-500-00001 PRELIMINARY PLAT FOR COTTON LANE COMMERCE PARK. The motion carried by the following vote:

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

Passed - Unanimously

5. PRELIMINARY PLAT FOR CAMELBACK 303

Principal Planner Karen Craver presented the request for a Preliminary Plat for Camelback 303 subdividing approximately 136.59 acres into three industrial lots. The subject property is located at the southeast corner of W. Camelback Road and N. Pebblecreek Parkway, extending south to W. Charles Boulevard. The subdivision is intended to facilitate the development of light industrial uses on the property in accordance with the PV303 PAD.

Commission asked for clarification on the dock doors and the direction they will face. Ms. Craver explained that the dock doors will be facing north and south. A site plan has been submitted and approved for Lot 1.

Commission discussed the traffic on Camelback road. Ms. Craver explained that the traffic study has gone through the process, has been reviewed and approved. That includes half-street improvements along the frontage of the site. The north side of the road is a different jurisdiction but once development has started, improvements will be required for the road. Development Services Director Christopher Baker explained that the city has been working with other jurisdictions in order to improve Camelback road, along with funds from the Arizona State Legislature to improve Camelback. There is a Capital Improvement Project in order to improve Camelback road in this area.

Commission discussed the timeline of road improvements in response to development. Mr. Baker explained that there is private investment going on with the improvements that the city and other jurisdictions will be making to Camelback road.

Commission asked if there was a plan for a streetlight at PebbleCreek Pkwy and Camelback road. Ms. Craver explained that there is a plan for a streetlight and a condition of the approval for this preliminary plat is to pay for a quarter of the cost.

MOTION BY Commissioner Jason Kish, **SECONDED BY** Commissioner Gregg Clymer to **RECOMMEND** approval for case 21-500-00011 PRELIMINARY PLAT FOR CAMELBACK 303. The motion carried by the following vote:

AYE:Chairman Patrick Bray, Commissioner Jason Kish, Commissioner Gregg Clymer
NAY:Commissioner Kathleen Molony, Commissioner Brian Ellison
Failed

STAFF COMMUNICATIONS

Development Services Director Christopher Baker introduced Laura Barger, new Administrative Assistant for Development Services.

Mr. Baker gave an overview of the expiring terms of Commissioners and replacement Commissioners.

Mr. Baker explained that there was a re-organization of the Engineering and Development Services Departments. Civil Plan Review, Civil Inspections and Permitting divisions have moved over to the Development Services Department.

Commission discussed agenda item #3, the Bikini Beans coffee shop. Deputy City Attorney Sarah Chilton explained that any coffee shop could open in that location. The only reason for a use permit was the drive-through and there have been many internal discussions on whether users should be listed at all for a use permit. She continued that the applicant is almost irrelevant as a status is being created for the land itself and how it is developed. Mr. Baker added that this use is no different than any other restaurant chain and does not rise to the level of being a sexually oriented business. Ms. Chilton explained that putting a name on a development plan is not permanent and it can change as the land is purchased or a business is transferred. Mr. Baker explained that City Council has a similar evaluation criteria for use permits and are bound to the same consideration.

Commission discussed needed improvements on Camelback road, the process for the improvements, the number of traffic lights and education for the public.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on February 16, 2022 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 7:13 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Patrick Bray, Chairman

Date: _____