

Planning & Zoning Commission
Goodyear City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395



Wednesday, September 14, 2022

6:00 p.m.

Meeting Minutes

AGENDA AMENDED 9/12/2022 - Item # 4 added

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chairman Jason Kish; Vice Chairman Gregg Clymer; Commissioner Maria Sambito;
Commissioner Anthony Wang; Commissioner Carl Hamilton; Commissioner Kent Hegedus

Absent: Commissioner Marlon Booth

MOTION BY Vice Chairman Gregg Clymer, **SECONDED BY** Commissioner Carl Hamilton to
EXCUSE Commissioner Booth from the meeting. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Carl Hamilton, Commissioner Kent Hegedus, Commissioner Maria Sambito

Passed - Unanimously

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on August 17, 2022.

[Due to a glitch, a Motion and Second was not recorded for this item. These minutes will be approved at the next meeting of the Planning & Zoning Commission.]

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.

Goodyear resident Nic Silverster spoke against cases 22-350-00002 and 22-300-00005 - a McDonald's and Self-Storage on Indian School and Sarival - that will be appearing in front of the Commission at a future meeting, citing the smell, location, hours, adjacency to residential and amount of opposition.

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. **PUBLIC HEARING TO REZONE APPROXIMATELY 5 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO MF-18 WITH "THE LINCOLN AT ESTRELLA FALLS DEVELOPMENT REGULATIONS MF-18 WITH PAD OVERLAY"**

Chairman Kish opened the public hearing at 6:07 p.m.

Principal Planner Christian Williams presented the request for item #2 to be tabled. Mr. Williams explained that the applicant asked that this item will be tabled to a date non-certain. The item will be readvertized to the public in accordance with public hearing requirements.

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Carl Hamilton to TABLE case 22-200-00010 PUBLIC HEARING TO REZONE APPROXIMATELY 5 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO MF-18 WITH "THE LINCOLN AT ESTRELLA FALLS DEVELOPMENT REGULATIONS MF-18 WITH PAD OVERLAY" to a date uncertain. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Carl Hamilton, Commissioner Kent Hegedus, Commissioner Maria Sambito
Passed - Unanimously

3. **PUBLIC HEARING TO REZONE APPROXIMATELY 51.24 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO MF-18 WITH THE VLUX AT BALLPARK VILLAGE DEVELOPMENT REGULATIONS MF-18 WITH PAD OVERLAY**

Chairman Kish opened the public hearing at 6:09 p.m.

Principal Planner Christian Williams presented the request to rezone approximately 51.24 acres generally located southwest of Estrella Parkway and Yuma Road from Planned Area Development (PAD) to MF-18 with the VLUX at Ballpark Village PAD Overlay. The Property will include stacked-flat style buildings, townhouse style apartments and cottage style apartments. The use of a PAD Overlay is requested as the current development standards for the MF-18 zoning district do not contemplate a property providing multiple product types within a single development. Modifications requested through the PAD Overlay include the following:

Density: To be compatible with the General Plan Neighborhood Land Use Designation and Village Center Overlay, the proposed PAD overlay requires a minimum density of 14 units per acre for the portion of the Property that is north of Papago Street alignment with a maximum density of 18 units per acre.

Development Standards: The development standards applicable to the Multi-Family Residential (MF-18) zoning district will apply to the development of the Property except as modified by the PAD Overlay. Because of the difference in building styles, different design guidelines will apply based on the nature of the building. The design guidelines applicable to Multi-Family Residential will apply to all buildings within the Property; but the additional design guidelines applicable to development within the MF-12 zoning district will also apply to certain styles of residential buildings.

Internal Setback: If a future property line is provided internal to the VLUX at Ballpark Village project, thereby splitting the overall project into two or more parcels, a setback requirement from that internal property line shall be 20 feet on either side of the parcel line.

Tandem Parking: Off-street parking and loading shall comply with Goodyear Zoning Ordinance Article 6, except that tandem parking may be provided on site with the following standards:

- Each of the two parking spaces within each tandem parking space shall be reserved to the same dwelling unit.
- A Parking Plan addressing parking management shall be submitted and approved with the Site Plan. All parking shall adhere to the approved Parking Plan.

By allowing for tandem parking wherein space for a vehicle is provided in a garage and then another space is provided outside that garage on the driveway/apron, there are opportunities to reduce surface parking and allow more flexibility in unit types and increased densities. This is a similar request to other multi-family developments located within Village Center Overlay Districts and Transit Oriented Development Overlay Districts.

Minimum Sidewalk Width: The minimum width of private sidewalks within VLUX at Ballpark Village may be four feet. As part of the Site Plan review, the applicant shall demonstrate to the satisfaction of the City that sidewalks of this reduced width occur in areas with limited pedestrian traffic and do not affect ADA requirements. A multi-family community made up of numerous buildings and amenities on approximately 50 net acres, such as that proposed for VLUX at Ballpark Village, is crisscrossed by various sidewalks linking all those buildings and amenities to one another. By the nature of the design and layout, some sidewalks will only serve one or a few residential buildings and will carry limited pedestrian traffic. A reduction in sidewalk width, even a minimal one such as that proposed, allows for a reduction in impervious surfaces with a commensurate increase in landscape areas reducing the "heat island" effect. The developer still has to demonstrate to the satisfaction of City staff that the reduced width from a five-foot minimum to a four-foot minimum is only in locations with limited pedestrian traffic and does not affect compliance with accessible pathways for ADA requirements.

Building and Patio Encroachment: Projections on certain style of buildings, including balconies (covered or uncovered), bay windows, eaves, ornamental features, or similar shall be permitted to encroach into the front and street side setbacks by not more than two feet. Ground floor projections that include patios (covered or uncovered) surrounded by walls that are four feet or less in height and include pedestrian gates and paths allowing pedestrian access directly to the adjacent roadway/sidewalks, shall be permitted to encroach into the front and street side setbacks by not more than five feet. Limited encroachments allow for greater flexibility in building design and allows

for more variety in the elevations that face out to the public roadways without unnecessary limiting the frontage landscape. Additionally, the encroachment at the ground floor will require a pedestrian connectivity element and provide for units to engage with the streetscape.

Perimeter Wall Encroachments: If utilized, a perimeter view wall may be placed within the 30-foot street setbacks along Yuma Road and Estrella Parkway, which also serve as landscape buffers. The perimeter view wall may only encroach a maximum of 10 feet into the setback and must be a view wall consisting of no more than 2 feet of solid block with view fencing on top of that block. This shall only be permitted when the units front door faces the street. Limited encroachments allow for greater flexibility in the design and layout. By requiring any encroaching wall to have no more than 2 feet of solid block, this preserves visibility. It also preserves the full landscape buffer of 30 feet but allows for up to 20 feet to be on the street side of the wall with the balance still visible through the view fence.

Reductions in Building Separation Along Perimeter: The residential structures that are subject to the MF-12 Design Guidelines are also required to provide a minimum 15-foot building separation for perimeter dwelling units along the exterior roadways of Yuma Road, Estrella Parkway, Goodyear Boulevard West and Goodyear Boulevard South. If the Property is split into one or more lots/parcels, a minimum 10-foot separation between these types of structures shall be allowed on the newly created internal perimeters. The PAD Overlay also requires additional design enhancements for all buildings onsite, allows for some deviations to the MF-12 housing product color schemes and building elevations offered, provides for shaded pedestrian entrances, additional connections to the adjacent streets, as well as limited walls for certain product types, to ensure there is street engagement and views into the community.

The developer is also required to construct a Ballpark Village Gateway Monument at the southwest corner of Estrella Parkway and Yuma Road. This monument will match themes and materials found within the Ballpark Village area and include an artistic mural that is publicly facing.

Commission asked if the homes would have backyards. Mr. Williams explained that in the zoning for MF-18, they are required to have private yards that are at least 60 square feet in dimension. The MF-12 style units with 1-story in height or 2 stories with 1 unit, they will be required to construct a yard at least 200 square feet in dimension.

Commission asked if the yards would have picket fences. Mr. Williams stated that would be determined at the time of design. View fencing would be required along roadways.

Paul Gilbert, representing the applicant, was present and available for questions. Mr. Gilbert explained that at the neighborhood meeting that was held for this project, the attendants were in support of the project.

Resident Alan Stark spoke in opposition to the project, commenting on traffic, reduction in Commercial zoning, density, multi-family developments, and lack of restaurants and entertainment options in the area.

Resident Victor Pattarozzi spoke in opposition to the project, commenting on density, traffic congestion, school traffic and that a single-family development would be preferred.

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

Commission asked for feedback from Mr. Williams on traffic within this area, specifically average daily traffic, as well as the units and commercial proposed. Mr. Williams explained that the original project proposed would have allowed more than 2000 units to be built and 70,000 square feet of retail. This project will have less than 570 units, approximately a quarter of the units that could have been built here. There is a significant reduction in development and therefore traffic with this project. Estrella Parkway and Yuma Road are both Scenic Arterials with an ultimate build-out of 3 lanes in each direction with deceleration lanes at the appropriate designations. Goodyear Boulevard was modified in December of 2021 to a Major Collector, 2 lanes with a median, with signal improvements.

Commission asked about Commercial and walkability in this area. Mr. Williams stated that this

development agreed to pedestrian connections that the residents will be able to walk out the gates and to go the commercial development. At the Ballpark Village area, there are 53 acres of retail space. There is 9 acres of commercial opportunity near this development as well.

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Carl Hamilton to RECOMMEND approval for case 22-200-00003 PUBLIC HEARING TO REZONE APPROXIMATELY 51.24 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO MF-18 WITH THE VLUX AT BALLPARK VILLAGE DEVELOPMENT REGULATIONS MF-18 WITH PAD OVERLAY. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Carl Hamilton, Commissioner Kent Hegedus, Commissioner Maria Sambito
Passed - Unanimously

4. **REZONE APPROXIMATELY 273.71 ACRES LOCATED AT THE SOUTHWEST CORNER OF CITRUS ROAD AND ROOSEVELT STREET (LAS PALMAS)**

Chairman Kish opened the public hearing at 6:38 p.m.

Principal Planner Christian Williams presented the request to rezone approximately 273.71 acres located at the southwest corner of Citrus Road and Roosevelt Street to Planned Area Development (PAD), which will consist of underlying zoning districts of R1-4 (Single Family Detached), R1-6 (Single Family Detached), C-2 (General Commercial) and PFD (Public Facilities District) with a PAD Overlay. The development will be known as Las Palmas at West Goodyear. The proposed rezoning seeks to replace the current Las Palmas Final Planned Area Development zoning with approximately 137.34 acres of Property rezoned to R1-4 with R1-4 Reduced Development Standards with a PAD Overlay; approximately 91.1 acres of the Property rezoned to R1-6 with R1-6 Reduced Development Standards with a PAD Overlay; approximately 38.16 acres of the Property rezoned to C-2 with a PAD Overlay; and approximately 7.11 acres of the Property rezoned to PFD for a development to be referred to collectively as Las Palmas at West Goodyear.

The maximum number of dwelling units that will be developed on the Property will remain at 750, which is what is currently stipulated under the existing zoning. A PAD Overlay is being requested as it will be utilized to codify the minimum level of residential amenities, connectivity and streetscape elements required in this large master-planned community as well as provide for buffers and lower intensity commercial uses within the larger commercial parcel.

All R1-4 lots within the development shall: have a minimum lot width of 40 feet; have a minimum depth of 95 feet; have a minimum square footage of 4,275 square feet; have a minimum rear setback of 15 feet; 30% of the lots shall be 45 feet wide; 50% of the lots shall be at least 115 feet deep and have a minimum rear setback of 20 feet; and have a useable, covered outdoor patio that should be at least 100 square feet covered, with a minimum interior dimension of eight feet covered (a covered patio may encroach up to five feet into a rear setback). The R1-4 lots will adhere to the R1-4 (Single Family Detached) zoning district as modified by the R1-4 Reduced Development Standards, and as further modified by the PAD Overlay.

All R1-6 lots within the development shall: have a minimum lot width of 55 feet; and have a useable, covered outdoor patio that should be at least 100 square feet covered, with a minimum interior dimension of eight feet covered (a covered patio may encroach up to five feet into a rear setback). The R1-6 lots will adhere to the R1-4 (Single Family Detached) zoning district as modified by the R1-4 Reduced Development Standards, and as further 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.

To meet the three required Amenity Elements, the development will:

- Adjacent to Community Amenity – Las Palmas is required to provide a 5-acre neighborhood

park within ¼ mile walking distance of all dwellings. Las Palmas exceeds this requirement by providing an approximately 9-acre Central Park. However, this park would not be located within ¼ mile walking distance of all dwelling units. In order to satisfy the ¼ mile walking distance requirement, four additional Pocket Parks will be spread throughout the site, providing an additional approximately 4.5 acres of total park area with at least one of the parks being located within a ¼ mile walking distance of all lots. The Pocket Parks will provide additional improved park space in closer proximity to residents who live farther away from the Central Park.

Pocket Park West (1.6 acres) will be located in the R1-6 portion of the Project. Pocket Park East (1.4 acres), Pocket Park North (0.56 acres), and Pocket Park South (1 acre) will be located in the R1-4 Reduced portion. Each pocket park will include a tot lot, shade pavilion with a picnic table and barbeque grill, seating or lounge area, and walkways. Bicycle racks will be included at the Pocket Parks to accommodate non-motorized transportation within the community. In addition to the significant amenities in these park locations, detention basins adjacent to parks throughout the Project will be improved with benches and turf activity lawns to facilitate gatherings and recreation. In totality, Las Palmas will provide approximately 25% of the net residential area as open space, which significantly exceeds the 15% minimum requirement.

If a portion of the residentially zoned property is donated as a public elementary or middle school, then the Central Park may be reduced to seven acres.

- **Additional Park Space** – The Project includes an approximately 9-acre Central Park to provide accessible amenities throughout Las Palmas that appeal to residents of all ages. In particular, the Central Park will include a centrally located pool area with parking, showers, a pool deck with lounge chairs, and restrooms; dining pavilion; athletic courts and fields; game areas; trail connections; walkways; and benches. The Central Green within the Central Park will add an event pavilion for a variety of uses, including movie nights and holiday and birthday celebrations and a tot lot with a shade sail. Bicycle racks will be included at the Central Park and Pocket Parks to accommodate non-motorized transportation within the community.
- **Adjacent to Community Amenity** – The developer shall construct an 8-foot wide decomposed granite trail along the RID Canal and the trail will connect from Citrus Road to Van Buren Street and provide a connection to the north-south trail along the western portion of the residential Project. The trail shall be owned and maintained by the HOA that is to be formed, but shall be available for use by the general public and an easement shall be dedicated to the City of Goodyear, in a form acceptable to the City Attorney or his/her designee, that allows for such public use.

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

- **Be Considered In-fill** – The Project is considered in-fill due to its location within the City of Goodyear.
- **Trail System Connections** – An eight-foot wide decomposed granite trail will run along the western portions of the residential Project and connect from Roosevelt Street to the future RID Canal trail. This external trail will connect the Project to the greater current and future trail systems in Goodyear and Maricopa County. The trail shall remain ungated and open to the public and provide a connection to Citrus Road and the future RID Canal Trail. At least one connection from the residential portions of the development shall connect to this western north-south trail.
- **Smaller Blocks** – The block lengths within the R1-4 (Single Family Detached) Residential Zoning District will not exceed 660 feet between separations for streets or open space.
- **Lot Diversity** – At least 30% of the proposed lots within the R1-4 (Single Family Detached) Residential Zoning District will exceed the minimum lot width by at least 5 feet for the zoning district.

The Streetscape Elements are not finalized until the preliminary plat review. However, in order to meet the four Streetscape Elements, the development is proposing the following:

- **Porches and Courtyards** – Homes within the zoning district will have a front porch, and at a minimum 50% of those homes will have a front porch in excess of 48 square feet. Covered porches can include a slatted roof or other roof design alternative, if it is an integrated, significant architectural feature with columns that are complimentary to the style of the home.
- **Decorative Paving** – Decorative paving (such as pavers but not stamped asphalt) will be provided for all horizontal paved surfaces between the house and the sidewalk.

- Detached Sidewalks – Local streets within the zoning district will include detached sidewalks with 5.5-foot planters, partially within a sidewalk easement. A minimum of one tree shall be provided within the planter for each residential lot that faces a planting area. Planter strips will be planted, irrigated, and then maintained by the HOA.
- West Goodyear Elements -
 - Entries to the Project off of Van Buren Street, Citrus Road, and Roosevelt Street are surrounded by significant open space areas that will be landscaped consistent with an agrarian theme, including olive and/or palm groves, and will provide an inviting streetscape with decorative paving (not stamped asphalt) and a sense of arrival for residents and visitors as they enter the Project.
 - Las Palmas will employ agrarian theming around its parks with split rail (or cable rail) fencing at park entrance features to reflect the historic agricultural character of the area as well as split rail (or cable rail) fencing as an accent along Citrus Road.
 - Citrus Road frontage will include a nine-foot wide landscape strip with shade trees planted 25 feet on center adjacent to curb and gutter and an eight-foot wide concrete sidewalk adjacent to the landscape strip.
 - “West Goodyear” identification will be included on the Project’s entry monumentation as well as at the corner of Citrus Road and Roosevelt Street to help tie the Project into the overall character of ongoing development in this portion of Goodyear.

Commercial development will adhere to the C-2 (General Commercial) Development Standards, as modified by the PAD Overlay. Commercial buildings will maintain a maximum building height of 30 feet as opposed to the 56 feet designated within the C-2 (General Commercial) zoning district. Additional Prohibited uses include: Adult bookstore, adult novelty store and adult theater, Bus terminals, Cleaning and dying plants, Hotels and motels, Pawn shop and Taxidermist. Additional Permitted uses include: Indoor Equipment Rental; brewpubs; and storage buildings. Storage buildings will be an allowed use on no more than 20% of the site and must be located on the northern half of the commercial site; additional design requirements for storage are included within the PAD Overlay. If the commercial site is developed adjacent to the residentially zoned district to the immediate west, then an 80-foot-wide landscape buffer shall be required on the commercial property.

Mr. Williams asked that the following stipulation be included in the Commission recommendation:

Notwithstanding anything to the contrary in any of the Stipulations set forth herein, the development of the PFD Parcel shall not trigger the obligation to construct any of the public infrastructure Owner is required to construct as described in the Stipulations set forth herein, including by way of example the Roosevelt street improvements. The obligation to construct such infrastructure shall be triggered by the approval of any site plan or recordation of the first final plat or minor land division that includes any of the R1-4 Parcel, the R1-6 Parcel and/or the C-2 Parcel. Building Permits, certificates of completion, temporary certificates of occupancy, and permanent certificates of occupancy will not be withheld for development within the PFD Parcel simply because the public infrastructure improvements Owner is required to construct has not been completed.

Commission asked about the possibility of a school. Mr. Williams stated that he can't speak to the likelihood of the school but the reason for the added stipulation is to give the developer some flexibility for the park size. Schools are allowed in any zoning category.

Commission wanted clarification on the reduction of the lot sizes. Mr. Williams stated that due to the reduction in the lot sizes, there are certain streetscape and connectivity amenities that are required when reducing lot sizes according to the zoning.

Commission asked about the change to the builder. Mr. Williams explained that there are 2 landowners working together on this project. The landowner was still interested in entitling the property despite the builder backing out. The land use decisions run with the land regardless of who the builder will be. Any changes to the PAD Overlay will require a public hearing process.

There being no public comment, Chairman Kish closed the public hearing at 6:54 p.m.

MOTION BY Vice Chairman Gregg Clymer, **SECONDED BY** Commissioner Anthony Wang to RECOMMEND approval for case 22-200-00002 REZONE APPROXIMATELY 273.71 ACRES LOCATED AT THE SOUTHWEST CORNER OF CITRUS ROAD AND ROOSEVELT STREET (LAS PALMAS) with the added stipulation. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Carl Hamilton, Commissioner Kent Hegedus, Commissioner Maria Sambito
Passed - Unanimously

BUSINESS

None.

STAFF COMMUNICATIONS

Deputy Director of Planning reviewed the items that previously appeared before Commission.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on October 12, 2022 at 6 p.m. at the Goodyear City Hall Council Chambers.

ADJOURNMENT

There being no further business to discuss, Chairman Kish adjourned the meeting at 7:00 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Jason Kish, Chairman

Date: _____