

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



Wednesday, September 13, 2023

6:00 p.m.

Meeting Minutes

CALL TO ORDER

Vice Chairman Clymer called the meeting to order at 6:00pm

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Vice Chairman Gregg Clymer; Commissioner Maria Sambito; Commissioner Anthony Wang;
Commissioner Kent Hegedus; Commissioner Marlon Booth

Absent: Chairman Jason Kish

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Kent Hegedus to
EXCUSE Chairman Kish from the meeting. The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus,
Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on August 16, 2023.

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Kent Hegedus to
APPROVE the draft minutes of the Planning & Zoning Commission meeting on August 16, 2023.
The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus,
Commissioner Maria Sambito, Commissioner Marlon Booth

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.

BUSINESS

2. GENERAL PLAN UPDATE

Matt Kyszeiko from Michael Baker Intl. presented an overview for the General Plan update. Mr. Kyszeiko reviewed:

- The process and progress made thus far with the update
- Community outreach that has taken place
- Fundamental strategies that formed the plan
- Required elements that must be placed in the plan
- Spotlight areas that are a priority
- Types of comments received through the 60-day review of the General Plan
- Next Steps

Commission thanked Mr. Kyszeiko for the presentation and all the work that has gone into the update.

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

3. **22-200-00024 REZONE NORTH AND EAST OF THE NORTHEAST CORNER OF CITRUS ROAD AND INDIAN SCHOOL ROAD TO I-1 (LIGHT INDUSTRIAL)**

This item will be re-noticed for a public hearing at a future date uncertain.

4. **22-200-00011 REZONE WEST OF THE SOUTHWEST CORNER OF ESTRELLA PARKWAY AND VAN BUREN STREET TO FINAL PAD WITH UNDERLYING MF-24 (MULTI-FAMILY) ZONING**

Vice Chairman Clymer opened the public hearing at 6:24 pm.

Planning Manager Steve Careccia presented the request for a rezone of approximately 11.37 acres west of the southwest corner of Estrella Parkway and Van Buren Street from Final Planned Area Development (PAD) with underlying C-2 (General Commercial) zoning to Final PAD with underlying MF-24 (Multi-Family) zoning for the anticipated development of a 3 & 4-story (50 feet high) 284-unit apartment complex at a density of 25 dwelling units per acre. The proposed rezoning changes the designation of the Property, subject to the Hudson Commons PAD adopted by Ordinance 2016-1326, from C-2 to MF-24. Under the proposed rezoning, the Property would be developed in accordance with the requirements of the MF-24 zoning in the Hudson Commons PAD, as modified by the stipulations in Ordinance 2016-1326, with the following exceptions.

- It modifies the building setback along the western boundary of the Property
- It increases the maximum height allowed if the Property is developed as MF-24 (unsubdivided) for one building located along the frontage of Van Buren Street from 40 feet to 50 feet
- It includes requirements for additional design elements
- It allows encroachments of up to 5 feet above the maximum building height for the Property, subject to the Hudson Commons PAD, for parapets, architectural features, screening, and the like
- It includes terms that will allow for an increase in the density from 24 du/ac to 25 du/ac if the Property is developed as MF-24 (unsubdivided) in exchange for additional recreational open space amenities
- It reduces the perimeter landscape setback along the western boundary of the Property from 20 feet to 12 feet if the Property is developed as MF-24 (unsubdivided)

The modifications are needed to support the development of a project to be known as “The Statler at Estrella Parkway”. The applicant/owner, Leon Capital Group (LCG), anticipates developing a 4-building apartment complex, to be known as “The Statler at Estrella Parkway”, on the Property, located on the south side of Van Buren Street, approximately 250 feet west of Estrella Parkway between the developing commercial parcel of the Hudson Commons PAD and the single-family parcel of the PAD that is nearing completion. The Property extends from Van Buren south to Hudson Way, a public collector street extending west from Estrella Parkway. As the property currently has an underlying C-2 (General Commercial) zoning, a rezoning to multi-family is required to facilitate the anticipated development of the property. If this rezone is approved, LCG intends to submit a site plan application for the apartment complex. The Conceptual Site Plan submitted with the rezoning application depicts two 3-story apartment buildings, one adjacent to Hudson Way and one on three sides of the clubhouse/leasing office building and amenity area in the center of the site, and one 4-story apartment building adjacent to the Van Buren Street frontage of the Property that steps down to 3-stories along the western side of the building. Within the three apartment buildings, LCG is proposing 284 units on the 11.37-acre Property, for a density of 25 du/ac. The requested underlying MF-24 zoning allows a maximum of 24 du/ac. As depicted on the Conceptual Site Plan, the 284 units are comprised of:

- 156 one-bedroom units
- 118 two-bedroom units
- 10 three-bedroom units

To achieve the 25 du/ac, LCG is also proposing that the 4-story building be constructed at a maximum height of 50 feet. The requested underlying MF-24 zoning allows a maximum building height of 40 feet. As such, a request for an additional 10 feet of building height is a part of this rezoning application. The Conceptual Site Plan submitted with the rezoning application also depicts

a 12-foot wide landscape buffer along the west property line adjacent to the Hudson Commons PAD single-family parcel. The PAD approved in 2016 required a 20-foot landscape buffer between the original 19.1-acre commercial parcel and the single-family parcel. As such, a request to reduce the landscape buffer from 20 feet to 12 feet is part of this rezoning application. The rezoning increases the maximum height of one building fronting Van Buren Street from 40 feet to 50 feet. In requesting approval of a maximum building height of 50 feet for this building, LCG has agreed that the following design enhancements will be required to be included in the development of the Property.

- Elevations of buildings facing public right-of-way shall consist of no less than three major exterior materials (such as stucco, cementitious siding, paneling, stone, stone veneer, etc). No single material on an elevation facing the public right-of-way shall exceed 50% of the area; and
- All building elevations shall have no less than 3 major colors (including material colors) and one accent color. At least one accent color shall represent colors of the desert. Major colors shall avoid grey tones and provide enough contrast to avoid a monolith appearance; and
- Building elevations shall include awnings or other shade structures over balconies and patios; and
- Buildings facing public right-of-way shall have horizontal movement of at least 24" every 100 linear feet in order to provide shadow lines and elevation interest; and
- The architectural theme for all buildings shall have a modern aesthetic with clean lines and avoid a side-by-side stacked unit appearance. To assist in reducing the stacked appearance, the first level of the elevations facing the public right-of-way shall consist of no less than 40% of a stone, block, or masonry veneer (stone, brick, or block) to create a base foundation to the elevation; and
- The roof lines of all buildings shall have vertical movement with the use of different parapet heights, equipment screening heights, but be consistent with the modern aesthetic architecture.

With the cited design enhancements, which staff has recommended a stipulation of approval for compliance with, staff is able to support the requested maximum building height of 50 feet. The applicant is requesting approval of a maximum density of 25 du/ac, if the property is developed as MF-24 (unsubdivided). With the provision of additional recreational open space amenities in excess of the minimum requirements in the Hudson Commons PAD, for which staff has recommended a stipulation of approval, staff is able to support the requested maximum density of 25 du/ac. Staff is also able to support the reduction of the landscape buffer width along the west property line adjacent to the single-family parcel from 20 feet to 12 feet if the rezoning application to change the underlying zoning from C-2 to MF-24 is approved. Two items included with the rezoning application that staff is not yet able to support are the Recreation Open Space Areas plan, and the Parking Reduction Statement, which included the reduced parking plan depicted on the Conceptual Site Plan. Staff and LCG began discussions on additional components of both items, that if provided, could result in staff support of them.

Commission asked about the height currently allowed in the zoning. Mr. Careccia explained that the existing height limitation is 56 feet.

Commission commented on the site, the surrounding area, adherence with the General Plan, diversity of housing and ownership opportunities.

Commission asked about the occupancy rate for apartments. Mr. Careccia stated that he did not have this information but perhaps the applicant has this information.

Commission asked about whether a traffic study was performed as well as services for the increase in population. Mr. Careccia explained that a high level traffic study was done with this application and further traffic studies would be done if it was approved. There are also reports received for all utilities, as well as coordinating with public safety services.

Brennan Ray, representing the applicant, gave a presentation of the project and was available for questions.

Commission asked what the occupancy rate is for apartments within the city. Mr. Ray stated that

the occupancy rate is approximately 93-94% in the area.

Six residents spoke in opposition for the staff recommendation - Jonathan Schurig, Domino Prasky, Robert Tremble, Sam Rosenberg, Sheila Chirinos, and Andres Thimgan. The residents expressed concerns over traffic, density, location, crime increase, loss of commercial property, adherence with the General Plan, height of the buildings, proximity to residential, diversity of housing, availability of services, privacy, school capacity, and property values.

Twelve speaker cards were received from residents in opposition of the staff recommendation but did not wish to speak: Mario L., Realaine Rosales, Jose Rosales, Anna Gonzalez, Andres, Brian King, Nora A., Andrea Keith, Irving Leon, Christian Leon, Georgina Weels, and Kenneth Pettigrew.

One speaker card was received that did not have an item specified, and the speaker was not present when called upon: Zaydee Jackson.

There being no further public comment, Vice Chairman Clymer closed the public hearing at 7:14 pm.

Commission discussed this application, whether it is in keeping with the General Plan, infill sites, diversity of housing, height and possible commercial uses for the site.

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Kent Hegedus to RECOMMEND approval for case 22-200-00011 REZONE WEST OF THE SOUTHWEST CORNER OF ESTRELLA PARKWAY AND VAN BUREN STREET TO FINAL PAD WITH UNDERLYING MF-24 (MULTI-FAMILY) ZONING. The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer

NAY: Commissioner Anthony Wang, Commissioner Kent Hegedus, Commissioner Maria Sambito, Commissioner Marlon Booth

Failed

The Planning & Zoning Commission recommendation on the REZONE WEST OF THE SOUTHWEST CORNER OF ESTRELLA PARKWAY AND VAN BUREN STREET TO FINAL PAD WITH UNDERLYING MF-24 (MULTI-FAMILY) ZONING is for denial.*

*Pursuant to the Planning & Zoning Commission Bylaws, which state "When a motion in favor of any application of other matter fails to receive an affirmative majority vote, i.e., a tie vote, it shall be entered into the minutes as a vote to deny the application considered."

5. **23-300-00002 USE PERMIT FOR A CONVENIENCE STORE AND FUEL STATION (LAKIN PARK CONVENIENCE STORE)**

Vice Chairman Clymer opened the public hearing at 7:20 pm.

Contract Planner David Williams presented the request for a Use Permit for a convenience store and fueling station on approximately 5.22 acres located at the southwest corner of Cotton Lane and MC-85 in the Lakin Park Planned Area Development (PAD). The Property is zoned PAD with an underlying land use of Commercial / Industrial Flex Zone. Under the PAD zoning, the development standards for the C-2 (General Commercial) zoning district as set forth in the Goodyear Zoning Ordinance apply to the Property except as modified in this PAD. The Conceptual Site Plan for the Lakin Park Convenience Store includes an approximately 4,850 square-foot convenience store with a combined 6,452 square-foot fuel canopy area (2 canopies), with the ability to serve up to 10 automobiles and 5 commercial vehicles at a time. The on-site parking conforms with applicable city standards. The design for the building will utilize a variety of materials and colors including brick and stone.

Commission asked for clarification on the entrances into the property. Mr. Williams stated that there is not a proposed left turn into the property.

Commission asked about the common drive between the industrial property surrounding this project and whether it will connect. Mr. Williams stated that there is a possibility of a left turn out for the property using this common drive.

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

There being no public comment, Vice Chairman Clymer closed the public hearing at 7:30 pm.

MOTION BY Commissioner Anthony Wang, **SECONDED BY** Commissioner Maria Sambito to RECOMMEND approval for case 23-300-00002 USE PERMIT FOR A CONVENIENCE STORE AND FUEL STATION (LAKIN PARK CONVENIENCE STORE). The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

6. **23-200-00002 NWC OF CITRUS AND BROADWAY REZONE**

This item will be re-noticed for a public hearing at a future date uncertain.

7. **23-350-00001 SPECIAL USE PERMIT FOR A STORAGE FACILITY AT THE NORTHWEST CORNER OF SOUTH CITRUS ROAD AND WEST BROADWAY ROAD**

This item will be re-noticed for a public hearing at a future date uncertain.

8. **22-200-00023 REZONE APPROXIMATELY 47.09 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO I-1 (LIGHT INDUSTRIAL) WITH PAD OVERLAY**

Vice Chairman Clymer opened the public hearing at 7:30 pm.

Principal Planner Christian Williams presented the request for a rezone of approximately 47.09 acres generally located at the southeast corner of N. Citrus Road and W. McDowell Road from C-2 (General Commercial) and AU (Agricultural Urban) to I-1 (Light Industrial) with PAD Overlay. The rezone would change the currently allowed uses on the property from commercial and agricultural to industrial with a PAD overlay that would allow certain additional permitted uses including electric vehicle charging facilities for trucks and automobiles, a convenience use gas station and a car wash. Although development within the I-1 (Light Industrial) Zoning District is required to be developed under the Employment, Industrial chapter of the Goodyear Design Guidelines, the PAD Overlay requires that any convenience use gas station and car wash be developed in accordance with the Commercial Mixed-Use chapter of the Goodyear Design Guidelines. The use of a PAD Overlay is justified because the current development standards for I-1 (Light Industrial) do not include as permitted uses electrical vehicle charging facilities for semi-trucks and automobiles with accessory lounge and waiting facilities or Gas Station Convenience Uses with accessory car washes. However, these uses are appropriate at this location due to its proximate location to the freeway and distance from residential developments, and the conditions for the development of the convenience gas station with accessory car wash provide for enhancements that will provide for an attractive development. The proposed PAD overlay will modify the I-1 (Light Industrial) standards as follows:

Development Standards:

A gas station with a convenience store ("Gas Station Convenience Use") shall be considered a conditionally permitted use subject to the following:

- Limited to one Gas Station Convenience Use within in the entire Property.
- A decorative shade structure with seating shall be located adjacent to the hard corner of Citrus Road and McDowell Road.
- The Gas Station Convenience Use shall be developed in accordance with City of Goodyear Design Guidelines Chapter 4 (Commercial and Mixed Use Development).

A car wash shall be considered a conditionally permitted accessory use to the Gas Station Convenience Use subject to the following:

- Car wash is allowed only as an accessory to a permitted Gas Station Convenience Use (only one gas station is permitted within entire Property).
- A car wash in a stand-alone building shall not be located closer than 300 feet from an arterial to arterial intersection.
- The noise generated from the operation of the car wash shall not exceed 74.1dB from the footprint of the car wash facilities. Prior to the issuance of a Temporary Certificate of Occupancy that will allow for the operation of the car wash or a permanent Certificate of Occupancy the property owner or operator of the car wash shall submit a noise study/test that demonstrates that the noise generated by the operation of the car wash does not exceed the noise limits set forth herein. The property owner or operator of the car wash shall make all modifications to its equipment and/or to the site as needed to ensure that the noise generated from the operation of the car wash does not exceed 74.1dB as measured from the footprint of the car wash facilities.
- A car wash shall be developed in accordance with City of Goodyear Design Guidelines Chapter 4 (Commercial and Mixed Use Development).

Electric Vehicle Charging Facilities for charging trucks and automobiles shall be considered a principally permitted use. Electrical cabinets and mechanical equipment associated with the development of such facilities shall be screened. Buildings for lounging and waiting for persons using Electric Vehicle Charging Facilities shall be a permitted accessory use to a permitted Electric Vehicle Charging Facility. Such accessory buildings shall not include facilities for overnight stays. No cross-dock warehousing (i.e. warehouses with dock doors for loading and unloading of stored goods) and no cross-dock transfer facilities (i.e. facilities that provide for the transfer of goods from incoming vehicles to outbound vehicles with little or no storage) are permitted on the Property. The western most industrial buildings shall have a direct pedestrian connection to Citrus Road. A thirty-foot (30') landscape buffer is to be constructed along the southern boundary of the Property. A minimum of one (1) outdoor shaded employee break area shall be provided for each building that exceeds 50,000 square feet. Building color schemes, wall materials and colors and architectural elements shall be cohesive between the development on the entirety of the Property. Buildings should include bold colors and not simply be a gray base color with shades of gray, black and white but rather a neutral desert base color with additional bolder accent colors to add vibrancy.

Commission asked for clarification on the charging station location. Mr Williams explained that the electric charging stations included on the conceptual site plan would be a permitted use on the site with the approval of this application.

Wendy Riddell, representing the applicant, was available for questions.

One resident submitted a speaker card in opposition of the staff recommendation but was not present to speak: Rachael Craig.

There being no public comment, Vice Chairman Clymer closed the public hearing at 7:37 pm.

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Kent Hegedus to RECOMMEND approval for case 22-200-00023 REZONE APPROXIMATELY 47.09 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO I-1 (LIGHT INDUSTRIAL) WITH PAD OVERLAY. The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

9. **22-200-00005 REZONE APPROXIMATELY 47.35 ACRES FROM PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) TO I-1 (LIGHT INDUSTRIAL) WITH PAD OVERLAY**

Vice Chairman Clymer opened the public hearing at 7:37 pm.

Principal Planner Christian Williams presented the request for a rezone of approximately 47.35 acres generally located southeast of Sarival Avenue and MC-85 from Preliminary Planned Area Development (PAD) to I-1 (Light Industrial) with PAD Overlay. The Applicant requests a PAD Overlay for the SEC Sarival and MC-85 property for the sole purpose of increasing the allowable maximum building height to 70 feet. The additional height, from 50 feet to 70 feet, is intended to accommodate a wider range of users that the applicant indicates are routinely seeking building heights in excess of 50 feet. The increased height will be compatible with the existing, much taller, high capacity powerlines that pass by the property to the south and the future stack interchange of the future Arizona State Route 30 (Tres Rios Freeway) with the Arizona State Route 303 Loop (Loop 303 Freeway) extension. The remaining portions of the property included within the Riverside Park Preliminary PAD are designated for residential use. The properties to the south and southwest of the Property are within the future right-of-way for Arizona State Route 30, as identified on the adopted Loop 303 from I-10 to Proposed State Route 30 Final Approved Design Concept Report, dated 2018. ADOT has begun to acquire property south and west of the proposed rezoning for the future freeway; thus, the increased height will be compatible with the surrounding land uses. However, stipulation #1 was added to prohibit buildings exceeding 50-feet in height within 500-feet of property that is zoned for a residential use in case the plans for State Route 30 should change. Considering the proposed Arizona State Route 30 (Tres Rios) Freeway alignment, the Property has the opportunity to develop with business park and/or other light industrial uses. This conclusion is also supported by the existing and/or approved industrial land uses to the north, east and far west of the Property, as well as the Property's proximity to Maricopa County Highway 85 and the Southern Pacific Union Pacific railway. This property is within the Phoenix-Goodyear Airport Day-Night Average Sound Level (DNL) boundary. However, the airport operations should not greatly impact the development of the Property as a business park and/or with other light industrial uses. Additionally, considering the location of the site and the request for added height, enhanced design requirements will be stipulated with the development of this Property, to create an environment more akin to a business park, including no cross-dock warehousing and no cross-dock transfer facilities is permitted on the Property, the westernmost industrial buildings shall have a direct pedestrian connection to Sarival Avenue and a thirty-foot (30') landscape buffer is to be constructed along the southern boundary of the Property.

Wendy Riddell, representing the applicant, was available for questions.

Commission asked how soon the property will be developed and whether these will be spec buildings. Ms. Riddell explained that there is not an immediate user but there is a lot of interest in the area and that these will be spec buildings built all at once.

There being no public comment, Vice Chairman Clymer closed the public hearing at 7:44 pm.

MOTION BY Commissioner Maria Sambito, **SECONDED BY** Commissioner Anthony Wang to RECOMMEND approval for case 22-200-00005 REZONE APPROXIMATELY 47.35 ACRES FROM PRELIMINARY PLANNED AREA DEVELOPMENT (PAD) TO I-1 (LIGHT INDUSTRIAL) WITH PAD OVERLAY. The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

10. **23-220-00001 AMENDMENT TO THE ZONING ORDINANCE TO ESTABLISH A NEW BUSINESS PARK ZONING DISTRICT**

Vice Chairman Clymer opened the public hearing at 7:44 pm.

Planning Manager Steve Careccia presented the request to amend Article 3-3 (Commercial Districts) of the city of Goodyear Zoning Ordinance with the establishment of a new Business Park zoning district. This request for text amendment is to establish a new Business Park zoning district in accordance with City Council direction. To achieve this intent, the text amendment proposes a new zoning district within the commercial zoning districts section of the Zoning Ordinance. The new zoning district will include a mix of commercial and employment uses that will be subject to the development and design standards applicable to the city's existing commercial zoning districts. Additionally, new standards proposed with this amendment will ensure an attractive environment for these uses, within a campus-like setting, and will promote an environment compatible with nearby, existing developed areas.

With this amendment, the following revisions to the Zoning Ordinance are proposed:

- Creation of new business park zoning district to be established as Section 3-3-6 Business Park (BPD) District;
- Within Section 3-3-6-C (Principal Permitted Uses), establish the listed uses of structures or land within the Business Park zoning district;
- Within Section 3-3-6-E (Development Regulations), establish standards applicable to all new development within the Business Park zoning district to ensure conformance with the intent of the district; and
- Renumbering of current Section 3-3-6 (Commercial District Standards) as new Section 3-3-7 (Commercial District Standards) and amending the newly renumbered Section 3-3-7 (Commercial Districts Standards), by revising Figure 8, in paragraph A, to add a column for the dimension requirements for the Business Park (BPD) District.

There being no public comment, Vice Chairman Clymer closed the public hearing at 7:52 pm.

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Maria Sambito to RECOMMEND approval for case 23-220-00001 AMENDMENT TO THE ZONING ORDINANCE TO ESTABLISH A NEW BUSINESS PARK ZONING DISTRICT. The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

11. **23-220-00002 AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO FREEWAY SOUND ATTENUATION**

Vice Chairman Clymer opened the public hearing at 7:52 pm.

Planning Manager Steve Careccia presented the request to amend Articles 2 and 9 of the Zoning Ordinance to bring the city's sound attenuation requirements into conformance with requirements established by the Arizona Department of Transportation. This request for text amendment is to modify certain definitions and standards related to freeway development standards for sound attenuation. To achieve this intent, the text amendment proposes the following revisions:

- Zoning Ordinance Article 2-2 (Definitions): Add new definitions for "Decibel (dB)", "Decibel, A-Weighted Scale (dBA)", "Freeway", "Leq", and "Noise Sensitive Uses"; and
- Zoning Ordinance Article 9-1 (Freeway Development Overlay District): Remove references to specific freeways (I-10 and Loop 303) in favor of a more general reference to freeways, to include future freeways and other controlled access highways, such as the I-11 and SR 30; revise references to the allowed maximum exterior noise level from 64 dBA to 67 dBA.

There being no public comment, Vice Chairman Clymer closed the public hearing at 7:56 pm.

MOTION BY Commissioner Anthony Wang, **SECONDED BY** Commissioner Maria Sambito to RECOMMEND approval for case 23-220-00002 AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO FREEWAY SOUND ATTENUATION. The motion carried by the following vote:

AYE: Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Kent Hegedus, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

STAFF COMMUNICATIONS

Deputy Director of Planning Katie Wilken reviewed the items previously presented to Commission.

Development Services Director Christopher Baker explained that there will be more Zoning Ordinance Text Amendments, including revising Use Permit requirements for drive-throughs and convenience uses.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on October 18, 2023 at 6 pm at the Goodyear City Hall Council Chambers.

ADJOURNMENT

There being no further business to discuss, Vice Chairman Clymer adjourned the meeting at 7:58 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Jason Kish, Chairman

Date:_____