

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



Wednesday, October 18, 2023

6:00 p.m.

Meeting Minutes

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chairman Jason Kish; Vice Chairman Gregg Clymer; Commissioner Maria Sambito; Commissioner Anthony Wang; Commissioner Jeremiah Smith; Commissioner Marlon Booth

Absent: Commissioner Kent Hegedus

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

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Jeremiah Smith, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on September 13, 2023.

MOTION BY Vice Chairman Gregg Clymer, **SECONDED BY** Commissioner Anthony Wang to APPROVE the draft minutes of the Planning and Zoning Commission meeting held on September 13, 2023. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Jeremiah Smith, 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.

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. **22-200-00022 PUBLIC HEARING TO REZONE APPROXIMATELY 24.753 ACRES FROM PLANNED AREA DEVELOPMENT (PAD) TO C-2 and R1-A WITH THE LAS BRISAS CORNER DEVELOPMENT REGULATIONS C-2 and R1-A WITH PAD OVERLAY**

This item will be re-noticed for the November 15, 2023 Planning and Zoning Commission meeting.

3. **PUBLIC HEARING TO REZONE 37.45 ACRES LOCATED NORTHEAST AND SOUTHEAST OF ESTRELLA PARKWAY AND SAN MIGUEL DRIVE, KNOWN AS ESTRELLA PARCELS 12.25, 12.36 & 80 NOTCH, FROM PLANNED AREA DEVELOPMENT (PAD) TO R1-6 WITH PAD OVERLAY.**

Chairman Kish opened the public hearing at 6:03 pm.

Principal Planner Christian Williams presented the request for rezoning of approximately 37.45 acres located northeast and southeast of Estrella Parkway and San Miguel Drive ('the Property') from Planned Area Development (PAD) to Planned Area Development (PAD) "Estrella Parcels 12.25, 12.36 & 80 Notch" with the Property being zoned R1-6 (Single-Family Residential) zoning district with a PAD Overlay. The proposed rezoning would create a consistent set of standards for Estrella Parcels 12.25, 12.36 & 80 Notch by using this PAD Overlay. The request would separate the Parcel 80 Notch from the remainder of the commercially zoned Parcel 80 located east of the electrical easement and incorporate the Parcel 80 Notch and Parcel 12.25 into the same standards as Parcel

12.36. The rezoning would facilitate the development of a cohesive single-family residential community. The rezoning requires each lot to be a minimum of fifty feet (50') wide and include a Streetscape Element, such as: decorative pavers, porches or courtyards, or detached sidewalks. This update changes the 2019 Estrella Parcel 12.36 PAD Amendment, to increase the minimum open space requirements from 15% to 20%. Additionally, it includes development standards for retaining walls, due to topographical constraints, and clarifies the minimum amenity requirements.

Commission asked how much more Estrella has to develop. Mr. Williams showed the remaining areas that are left to be developed on a map of Estrella, showing significant vacant land remaining for development.

Commission asked about Commercial opportunities within Estrella. Mr. Williams explained that there is approximately 7 acres just east of the site that will remain Commercial and there is still availability within the Mountain Ranch shopping center and Elliot Market.

Commission asked about the extension of Cotton lane and other traffic concerns in the area. Mr. Williams stated that this development would not prompt Cotton lane improvements, however there are city projects for widening the Estrella bridge. As far as future traffic mitigation for this area, each rezone application requires a traffic analysis and are factored into overall traffic planning for the area.

Commission asked about loss of views. Mr. Williams explained that the current zoning allows commercial buildings to go up to 56 feet in height. With this application, that height would be restricted to 30 feet for the residential development. Schools are exempt from zoning, and they could have built as tall as they wanted.

Commission asked whether the elements provided in the application were consistent for allowing reduced lots, setbacks and width. Mr. Williams stated that this is an existing condition on the north site and will not extend to the commercial and school site to the south. This is a common practice when a developer seeks a reduction in requirements that they are offset by other elements and amenities.

Commission asked about the loss of a school site. Mr. Williams stated that the school district was not looking to pursue the junior high model in Estrella, as well as grade change issues and there are other school sites existing.

Development Services Director Christopher Baker explained that the Cotton lane extension is a very large project and the city has been working with the developer of Estrella to coordinate this project on implementation, however it will not be triggered by an individual development, such as this application.

Andrew Yancey, representing the applicant, was available for questions.

There being no public comment, Chairman Kish closed the public hearing at 6:20 pm.

MOTION BY Vice Chairman Gregg Clymer, **SECONDED BY** Commissioner Maria Sambito to RECOMMEND approval for case 22-200-00021 PUBLIC HEARING TO REZONE 37.45 ACRES LOCATED NORTHEAST AND SOUTHEAST OF ESTRELLA PARKWAY AND SAN MIGUEL DRIVE, KNOWN AS ESTRELLA PARCELS 12.25, 12.36 & 80 NOTCH, FROM PLANNED AREA DEVELOPMENT (PAD) TO R1-6 WITH PAD OVERLAY. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Jeremiah Smith, Commissioner Maria Sambito, Commissioner Marlon Booth
Passed - Unanimously

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

Chairman Kish opened the public hearing at 6:21 pm.

Planning Manager Steve Careccia presented the request for a rezone of approximately 32.43 acres north and east of the northeast corner of Citrus Road and Indian School Road from the C-2 (General Commercial) Zoning District to the I-1 (Light Industrial) Zoning District for the anticipated development of a commercial center and business park by Southwest Next. The applicant/owner, Southwest Next, anticipates developing a commercial center and business park on the Property, adjacent to the southern boundary of the planned Abel Ranch single family development, which received preliminary plat approval on October 28, 2019, and final plat approval by the City Council on September 11, 2023. If this rezone is approved, Southwest Next intends to submit a site plan application for the commercial center and business park. Staff did ask the Owner if they would rezone to the new Business Park Zoning District that was approved by the City Council with the adoption of Ordinance No. 2023-1592 on September 25, 2023. After reviewing the district standards and regulations, the Owner is requesting the I-1 Light Industrial Zoning District. Therefore, if the request is approved, the Property could develop with any of the I-1 uses established in the Zoning Ordinance, and in accordance with the I-1 development standards, except as modified by the recommended stipulations of approval. However, the conceptual site plan submitted with the rezone application depicts a total of 530,800 square feet of building area in the following configuration from west to east on the Property:

- Building A – 28,600 S.F.
- Building B – 41,400 S.F.
- Building C – 190,000 S.F.
- Building D – 270,800 S.F.

The conceptual site plan depicts all 4 buildings in north to south alignments, with a truck court in between the two smaller buildings, and a truck court in between the two larger buildings. Pursuant to the requested I-1 (Light Industrial) Zoning District designation, the maximum allowed building height would be 50 feet. Based upon conceptual total building square footage, the commercial center and business park would be required to provide 327 parking spaces per the City Zoning Ordinance parking requirements. The conceptual site plan depicts 588 parking spaces, many of which are shown 30 feet from the shared Abel Ranch property line, on the north side of the project access drive off of Citrus Road. Although the conceptual site plan does depict a second row of trees near the end of a cul-de-sac on the Abel Ranch property, directly across from the entrance to the truck court between the two larger buildings, there are two Abel Ranch lots west of the cul-de-sac (lots 422 & 423) and two lots east of the cul-de-sac (lots 411 & 412), with side yards located parallel to the shared property line. To provide the necessary screening for the future residents of the four Abel Ranch lots from the noise, lights, and exhaust from the tractor trailer trucks in the truck court, staff has recommended a stipulation of approval, that with the site plan submittal, that there be two rows of trees that extend three additional runs of parking (parking spaces between landscape islands) to the west of the second row of trees depicted on the preliminary site plan, and three additional runs of parking to the east of the second row of trees reflected on the preliminary site plan. The screening provided by the increased length of the second row of trees will be enhanced by the applicant/owner's proposal to construct 13-foot screen walls, attached to each of the two larger buildings, at the north end of the truck court between the buildings where trailer parking is also proposed. Additional landscaping will be provided on the north side of the walls, between the walls and vehicular parking provided on the south side of the access drive off of Citrus Road. To lessen the possible obtrusive appearance of the 13-foot screen walls, and to make them appear as extensions of the buildings to which they are attached, staff has recommended a stipulation of approval that the walls will be constructed of a minimum of two of the materials, and will incorporate a minimum of two of the colors, used on the buildings. Because there is also a truck court between the two smaller buildings (A & B), and there are also Abel Ranch lots (434 – 438) near the north side of the access drive off of Citrus Road, staff has recommended a stipulation of approval for a 13-foot screen wall to be attached to Building B, with the same materials and colors criteria. Southwest Next has also proposed to construct a 7-foot-high wall along a section of the shared Abel Ranch property line near the cul-de-sac between lots 422 and 412. Although this wall too will provide enhanced screening, because the City Zoning Ordinance requires a minimum separation between fences and/or walls to be 20 feet, staff has recommended a stipulation of approval providing notice to the applicant that should Abel Ranch receive approval to construct a development perimeter wall along or near the shared property line, but has not constructed it at the time the Property develops, then owner shall be required to construct the screen wall on the Property maintaining the 20-foot separation from the

location of the wall approved for Abel Ranch. If Abel Ranch has constructed a wall adjacent to the entire northern boundary of the Property when the Property develops, owner will not be required to construct a wall. In a further effort to reduce the impacts of the anticipated commercial center and business park, staff has recommended a stipulation of approval that no tractor trailer trucks, box trucks or similar vehicles shall park, and no empty trailers shall be parked, outside the truck courts on any access drive or interior drive aisles. In the event the property does not develop in conformance with the approved site plan, staff has also recommended a stipulation of approval that the commercial center and business park shall include a minimum of 3 buildings, the largest of which is limited to 270,800 square feet. This is intended to avoid a "mega" building on the site. Southwest Next has also submitted an elevations inspiration board with the rezone application to provide an idea of the anticipated architectural style of the four buildings, and staff has recommended a stipulation of approval requiring compliance with the City's Design Guidelines for Employment-Industrial development related to architecture, materials, and colors.

Commission asked for clarification on whether commercial is included in the application. Mr. Careccia explained that the corner of Citrus and Indian School will remain commercial, but the surrounding area would be rezoned to I-1.

Ed Bull, representing the applicant, gave an overview of the project and was available for questions. Mr. Bull explained that retail developers look at the surrounding area and there are limits on what can develop due to the Luke AFB Noise Contour in response to a previous Commission question.

7 residents spoke in opposition, citing traffic issues, Camelback road issues, too many warehouses, loss of Commercial zoning, truck traffic, Indian School traffic, neglect of Sedella neighborhood, noise pollution, property values, light pollution - Randy Higgs, Maureen Killian, Ken Hubbell, Parker Crehan, Kaylee Crehan, Fler Hart, Linda Perone.

Charles Sommer spoke in favor of the application, wanting development to happen in the area and the roads completed.

There being no further public comment, Chairman Kish closed the public hearing at 7:08 pm.

Commission discussed the Sedella community.

MOTION BY Vice Chairman Gregg Clymer, **SECONDED BY** Commissioner Anthony Wang to RECOMMEND approval for case 22-200-00024 REZONE NORTH AND EAST OF THE NORTHEAST CORNER OF CITRUS ROAD AND INDIAN SCHOOL ROAD TO I-1 (LIGHT INDUSTRIAL). The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Jeremiah Smith, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

5. **REZONE FOR GOODYEAR MUNICIPAL COMPLEX**

Chairman Kish opened the public hearing at 7:17 pm.

Senior Planner Ann Dolmage presented the request to rezone an approximately 17.6-acre site located at the southeast corner of West Van Buren Street and North 145th Avenue, from I-1 (Light Industrial Park) to PFD (Public Facilities District) with a PAD (Planned Area Development) Overlay. The northern parcel within the Property was originally developed as a privately-owned business park, and the city leased office space within the business park before eventually buying the parcel along with the central and southern parcels. Since the purchase of the Property and the establishment of the Goodyear Municipal Complex, the site has been used primarily for municipal operations. Public facilities (except for public utility facilities) are not permitted uses within the I-1 zoning district. While offices are permitted in I-1, and many of the city's current operations on the site are office-based, this has not always been the case (for example, the Library and Council Chambers

operated out of the Goodyear Municipal Complex prior to moving to the new City Hall building in 2022). Franklin Pierce University has leased space within the complex since 2012, and Goodyear Medical Clinic moved to the complex in 2023. At their meeting on September 11, 2023, City Council voted unanimously to adopt Resolution 2023-2352 for the lease of space within the complex to Alice Cooper's Solid Rock Teen Centers, for use as an after-school community center offering training in music, art, dance, sound and recording, lighting, video production, and similar subjects. The proposed PAD (Planned Area Development) Overlay includes, as permitted uses, private universities, medical clinics, community centers to align the zoning with the existing and planned uses and to allow offices for professional, administrative, clerical, and sales services, with the rationale that these uses are similar and compatible to uses already occurring on the site.

There being no public comment, Chairman Kish closed the public hearing at 7:21 pm.

MOTION BY Commissioner Anthony Wang, **SECONDED BY** Commissioner Marlon Booth to RECOMMEND approval for case 23-200-00011CIP REZONE FOR GOODYEAR MUNICIPAL COMPLEX. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang, Commissioner Jeremiah Smith, Commissioner Maria Sambito, Commissioner Marlon Booth
Passed - Unanimously

6. **SPECIAL USE PERMIT FOR THE EXTENSION OF A LAND RECLAMATION PROJECT LOCATED AT THE SOUTHWEST CORNER OF WEST ROOSEVELT STREET AND NORTH 158TH AVENUE**

Chairman Kish opened the public hearing at 7:22 pm.

Senior Planner Ann Dolmage presented the request for a Special Use Permit to continue operations at the existing Fusaro Land Reclamation Project on an approximately 29.4-acre parcel, generally located at the southwest corner of West Roosevelt Street and North 158th Avenue, within the Agricultural (AG) and Canyon Trails Phase I Planned Area Development (PAD) Districts. Fusaro, LLC, a land reclamation company based in Colorado, has submitted this Special Use Permit (SUP) request for approval to continue reclamation of an existing borrow pit located at Roosevelt Street and 158th Avenue. The borrow pit was originally excavated many years ago to provide fill material for the construction of Interstate 10 by the Arizona Department of Transportation. Reclamation activities began at the site sometime prior to 2007 by the previous owners of the property. Fusaro acquired the site in 2016 and obtained approval for a SUP (Case No. 17-350-00001) on May 8, 2017, to continue the reclamation process. Since approval of that SUP, Fusaro has cleaned up what it estimates to be at least a thousand piles of debris that were dumped prior to its purchase of the site. The original SUP included a stipulation that a new SUP would be required if work could not be completed within five years of approval. Fusaro estimates that the reclamation project which includes the removal of the debris that had been dumped on the site and the fill operations, is approximately 40% complete, and because five years have passed since the original approval, a new SUP is necessary to finish the work. Full completion of the project is expected to occur within five to seven years. Fusaro has provided an updated Land Reclamation Management Plan for this new SUP request. The plan contains procedures for filling, leveling, grading, and covering the pit; a list of acceptable fill materials; responsibilities of site staff; safety, security, and environmental procedures; reporting procedures; and closing procedures. Per the report, the estimated fill rate for the pit will be 80,000 cubic yards per year. Construction materials are imported to the site by trucks, which enter the property via Roosevelt Street and check in at the on-site construction trailer before unloading their materials and looping around to exit via the same gate. Only inert, non-hazardous materials are allowed at the site (e.g., clean dirt and gravel, plant-mixed asphalt, brick, concrete, and rock). Materials such as used motor oil, yard waste, paper and cardboard, tires, medical waste, friable asbestos, and any unidentifiable substances are not accepted. As new materials arrive at the site, they are progressively end-dumped over the edge of previously deposited materials, then compacted by machine. Material is leveled weekly using a bulldozer or heavy front-end loader. When the deposited material reaches a level within eight feet of maximum fill, an evaluation of final cover plans, based on the expected end use, will be conducted to ensure adequate geotechnical integrity for that use. To minimize noise and visual

impacts to the surrounding residential neighborhoods, a mesh fence is already in place around the perimeter of the site, and a proposed stipulation will require it to remain in place throughout the reclamation process. Additionally, Fusaro has equipped its machinery with "white noise" backup alarms and will continue to do so per a separate proposed stipulation. Finally, a stipulation has been added that limits the hours of operation. A Traffic Impact Statement (TIS) has been submitted by the applicant to update the traffic analysis that was conducted in 2017 for the original SUP request. The TIS estimates that 25 trucks will access the site on a typical day, for a total of 50 daily trips. Of those 50 daily trips, 12 trips will be generated during the AM peak hour, and four trips will be generated during the PM peak hour, with the remaining 34 trips occurring throughout the day. Traffic Engineering staff have reviewed the TIS and have determined that traffic related to this SUP request will not have significant impacts on the surrounding area. A proposed stipulation requires truck traffic to use Roosevelt to access the site, which will limit noise and traffic in the more residential areas to the south and southwest of the Project.

Commission asked why the pit has taken so long to fill. Ms. Dolmage explained that the daily number of trucks proposed is lower than the original SUP allowed for and there may be other reasons for the reduction.

Brian Greathouse, representing the applicant, gave a brief overview of the project and explained that the less development that happens, the less material is added to the project.

Commission asked how much material had to be removed from the site. Danny Feters, applicant, stated that very little has had to be removed, primarily within the first 2 years of operation.

There being no public comment, Chairman Kish closed the public hearing at 7:28 pm.

MOTION BY Commissioner Maria Sambito, **SECONDED BY** Commissioner Anthony Wang to RECOMMEND approval for case 22-350-00007 SPECIAL USE PERMIT FOR THE EXTENSION OF A LAND RECLAMATION PROJECT LOCATED AT THE SOUTHWEST CORNER OF WEST ROOSEVELT STREET AND NORTH 158TH AVENUE . The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Jeremiah Smith, Commissioner Maria Sambito, Commissioner Marlon Booth

Passed - Unanimously

7. SPECIAL USE PERMIT FOR A PRIVATE FRATERNAL CLUB LOCATED AT 1572 S. COTTON LANE

Chairman Kish opened the public hearing at 7:29 pm.

Contract Planner David Williams presented the request for a Special Use Permit to allow a private club on an approximately 3-acre parcel zoned C-1 (Neighborhood Commercial) located at 1572 South Cotton Lane. The applicant is requesting to construct a new building to replace the existing lodge in a new location on the existing property, due to ADOT acquiring the land for the Loop 303 expansion where the existing building is currently located. Pursuant to the conceptual site plan, the proposed private club will include a 6,600 square foot building and a 1,762 square foot patio. Special Use Permits expire 2 years after City Council approval, however, the applicant is requesting a Special Use Permit expiration end date for 5 years from the date of City Council approval. This is to prevent the applicant from initiating a Special Use Permit a third time, if any delays occur with the expansion of Loop 303. A stipulation has been added to address this request. The applicant is also requesting that the Moose Lodge may keep existing outdoor storage containers on the property until the building is constructed. The Zoning Ordinance permits outdoor storage containers for commercial properties only in the Commercial Business District. In order to continue the use of the storage containers the applicant is making the request that they be allowed to remain through construction and be removed prior to the issuance of a certificate of occupancy. A stipulation has been added to address this request.

Commission commented on the loss of the historical building.

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

MOTION BY Commissioner Anthony Wang, **SECONDED BY** Commissioner Marlon Booth to RECOMMEND approval for case 23-350-00002 SPECIAL USE PERMIT FOR A PRIVATE FRATERNAL CLUB LOCATED AT 1572 S. COTTON LANE. The motion carried by the following vote:

AYE: Chairman Jason Kish, Vice Chairman Gregg Clymer, Commissioner Anthony Wang,
Commissioner Jeremiah Smith, Commissioner Maria Sambito, Commissioner Marlon Booth
Passed - Unanimously

8. **GENERAL PLAN 2035 GROWING GOODYEAR, PLANNING OUR FUTURE**

Chairman Kish opened the public hearing at 7:38 pm.

Planning Manager Steve Careccia introduced Matt Klyszeiko with Michael Baker Intl. Mr. Klyszeiko gave a brief presentation focusing on the project process and progress, community outreach, fundamental strategies, chapter components, land use, and the comments and responses received.

There being no public comment, Chairman Kish closed the public hearing at 7:55 pm.

STAFF COMMUNICATIONS

Deputy Director of Planning Katie Wilken welcomed the new Commissioner Jeremiah Smith and gave an overview of the items previously heard by the Commission.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on October 25, 2023 at 6 pm at the Former Goodyear City Hall, room 117.

ADJOURNMENT

There being no further business to discuss, Chairman Kish adjourned the meeting at 7:57 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Date: _____