

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



Wednesday, February 14, 2024

6:00 p.m.

Meeting Minutes

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on January 17, 2024.

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Marlon Booth to APPROVE the draft minutes of the Planning and Zoning Commission Meeting held on January 17, 2024. The motion carried by the following vote:

AYE: Commissioner Jason Kish, Chair Gregg Clymer, Commissioner Anthony Wang, Commissioner Jeremiah Smith, Commissioner Kent Hegedus, Vice Chair 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. **A REQUEST TO REZONE APPROXIMATELY 137.77 ACRES LOCATED NORTHEAST OF VAN BUREN STREET AND LITCHFIELD ROAD (THE "PROPERTY") FROM PLANNED AREA DEVELOPMENT (PAD) TO PAD, BY ADOPTING THE "PALM VALLEY CROSSING 5TH AMENDED AND RESTATED PLANNED AREA DEVELOPMENT," WHICH AMENDS THE LAND USE DESIGNATION OF LOT 3.**

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

Contract Planner David Williams presented the request to rezone approximately 137.77 acres located at the northeast corner of Van Buren Street and Litchfield Road (the "Property" from Planned Area Development (PAD) to PAD "Palm Valley Crossing 5th Amended and Restated Planned Area Development" The purpose of the proposed rezoning is to amend and restate the Palm Valley Crossing Planned Area Development to incorporate the various PAD amendments adopted by Council into one document, to modify the zoning designation of Lot 3 in the Planned Area Development from Automotive Related Commercial and General Commercial (ARC/C-2) to Automotive Related Commercial and General Commercial and Service Commercial/Commerce (ARC/C-2 and SC), and to resolve inconsistencies created by the prior adoption of land use maps that referred to portions of the property to be developed for commercial uses as Regional Shopping Center and Retail and the lack of development standards for such uses by amending the land use map to identify all of those lots as C-2 (General Commercial) allowing all uses permitted in C-1 (Neighborhood Commercial) and C-2 (General Commercial) to be developed on the lots identified as C-2 subject to the development standards applicable to the C-2 (General Commercial) zoning district in the City of Goodyear Zoning Ordinance. With the addition of the Service Commercial/Commerce to this parcel, the applicant is looking to develop a 58,000 sq ft office/warehouse. The applicant is not requesting any deviations from the established standards included in the Palm Valley Crossing Planned Area Development, Amendment 2 (Ordinance 11-4664), which are included in the Palm Valley Crossing 5th Amended and Restated Planned Area Development dated February 24, 2024.

Commission asked about the type of business that would occupy the property. Mr. Williams stated that JFN Mechanical is looking to use this for their business, it is not a spec building. JFN Mechanical is a construction company, specializing in plumbing.

There being no public input, Chairman Clymer closed the public hearing at 6:12 pm.

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Jeremiah Smith to RECOMMEND approval for case 23-200-00010 A REQUEST TO REZONE APPROXIMATELY 137.77 ACRES LOCATED NORTHEAST OF VAN BUREN STREET AND LITCHFIELD ROAD (THE "PROPERTY") FROM PLANNED AREA DEVELOPMENT (PAD) TO PAD, BY ADOPTING THE "PALM VALLEY CROSSING 5TH AMENDED AND RESTATED PLANNED AREA DEVELOPMENT," WHICH AMENDS THE LAND USE DESIGNATION OF LOT 3. The motion carried by the following vote:

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

Passed - Unanimously

3. **AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO CHURCHES**

Chairman Clymer opened the public hearing at 6:14 pm.

Interim Planning Manager Christian Williams presented the staff-initiated request to amend Articles 2, 3 and 4 of the Zoning to bring the city's zoning requirements for churches into conformance with requirements established by the state Free Exercise of Religion Act ("FERA") and federal governments Religious Land Use and Institutionalized Persons Acts (RLUIPA). This request for text amendment is to modify certain definitions and standards, the text amendment proposes the following revisions:

- Zoning Ordinance Article 2-2 (Definitions): Changes the term "Churches, Synagogues or Temples" to "Church"; and,
- Zoning Ordinance Article 3-3 (Commercial Districts): Removes Church from the Principal Permitted Uses list under CO (Commercial Office); and,
- Zoning Ordinance Article 4 (Special Uses, Uses Requiring Additional Evaluation, Nonconforming Uses and Buildings): Renames the title of Article 4 from "Special Uses, Uses Requiring Additional Evaluation, Nonconforming Uses and Buildings" to "Regulation of Particular Uses"; and,
- Zoning Ordinance Article 4-2 (Uses Requiring Additional Evaluation): Adds a new Article 4-2-19 that allows churches a Permitted Use in all Zoning Districts subject to certain requirements.

These changes would allow churches to locate in any zoning district. Traffic and noise can be evaluated at the site plan level as with any other use.

Commission asked about the federal requirement, when it was passed and what has changed. Mr. Williams explained that these requirements have been in place for years and that this is an opportunity to clean up our zoning ordinance and come into best practice.

Commission asked if this amendment means that churches will not come before Commission anymore and what recourse residents would have for noise mitigation. Mr. Williams stated that this would become an administrative process including approval by staff through the site plan process. As a requirement when reviewing churches, there are noise and lighting provisions. Residents could contact the police or code compliance if there was a noise complaint.

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

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Jeremiah Smith to RECOMMEND approval for case PZ24-00055 AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO CHURCHES. The motion carried by the following vote:

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

Passed - Unanimously

BUSINESS

4. STRATEGIC PLAN

Deputy Director of Planning Katie Wilken reviewed the new Strategic Plan FY25-27. Ms. Wilken reviewed the vision, mission, focus areas and action items assigned to the Development Services department. No action was taken on this item.

5. ZONING ORDINANCE TEXT AMENDMENTS

Deputy Director of Planning Katie Wilken reviewed future zoning ordinance text amendments, including rural development overlay district in the Mobile area, types of uses that require a use permit or special use permit and regulations for group homes/sober living facilities. No action was taken on this item.

STAFF COMMUNICATIONS

Deputy Director of Planning Katie Wilken recognized Commissioner Kish and his contributions to the Planning and Zoning Commission. Commissioner Kish has termed out and will serve on the Commission until a replacement is selected.

NEXT MEETING

The next Planning and Zoning Commission meeting will be held on March 13, 2024 at 6 pm at the Goodyear City Hall Council Chambers.

ADJOURNMENT

There being no further business to discuss, Chairman Clymer adjourned the meeting at 6:38 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Date: _____

Approved at Planning & Zoning Commission Meeting held on _____, 2024.