

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



Wednesday, August 14, 2024

6:00 p.m.

Meeting Minutes

CALL TO ORDER

Chairman Clymer called the meeting to order at 6 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chairman Gregg Clymer; Vice Chair Maria Sambito; Commissioner Kent Hegedus; Commissioner Marlon Booth; Commissioner Anthony Wang; Commissioner Jeremiah Smith; Commissioner Ernie Nepomuceno

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on June 26, 2024.

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Vice Chair Maria Sambito to **APPROVE** the draft minutes of the Planning and Zoning Commission Meeting held on June 26, 2024. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Maria Sambito, Commissioner Kent Hegedus, Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Jeremiah Smith, Commissioner Ernie Nepomuceno

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.

Resident Richard Karttunen spoke, expressing concern about a new hotel development located on the NWC of Litchfield and McDowell rd., citing issues with the setbacks, height limitations, potential fire hazard, traffic, and privacy of the nearby residential homes. Chairman Clymer directed staff to contact the resident regarding their concerns.

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. EL CIDRO 9TH RESTATED PAD (WILLOW AT EL CIDRO)

Chairman Clymer opened the public hearing at 6:06 pm.

Planning Manager Christian Williams presented the request to rezone approximately 583.33 acres generally located at the southwest corner of Lower Buckeye Road and the 169th Avenue Alignment from Planned Area Development (PAD) to PAD, the El Cidro 9th Restated Planned Area Development (May 2024)", specifically amending a 42-acre portion from the Low Density Residential land use designation (2-4 DU/AC) to the land use designations of Low Density Residential 5 (LDR-5), Medium Density Residential A (MDR-A) and Multi Family Residential (MFR) and clarifying development standards within the PAD. The proposed request seeks to amend the El Cidro PAD by adopting the 9th Amended El Cidro PAD, which modifies the land use designation of a 42.3-acre portion of the property within the El Cidro PAD identified as Parcel 4 on the land use plan from Low Density Residential 1 (LDR1 2-4 DU/AC) to allow for the development to be known as the Willow at El Cidro by creating three new land use districts Low Density Residential 5 (LDR-5), Medium Density Residential A (MDR-A) and Multi Family Residential (MFR) and adopting development standards and other rules, regulations and requirements applicable to development within the Willow at El Cidro.

Additionally, the rezoning clarifies the land use districts applicable to city owned property and it restate the El Cidro PAD by incorporating all the prior changes, including the removal of the property rezoned by the adoption of separate Planned Area Development for the Vita at El Cidro and El Cidro Logistics 85, The results of this rezone from LDR1 (2-4 DU/AC) would increase the overall density of Parcel 4 from a maximum of 168 dwelling units under single family development to a maximum of 463 dwelling units under the mixed-use proposal. This amendment would create a single family detached (LDR5) area, single family attached (MDRA) area and a multi-family (MF-18) area. The applicant is requesting deviations from the city's typical development standards in terms of setback reductions, smaller lot sizes. These deviations are supported by additional amenities, connectivity and streetscape. As an offset to the requested deviations, additional common area open space is being included in this project as well as additional buffering for the county residences to the east. Minimum park sizes have been codified in the PAD that accompanies this case.

Willow at El Cidro is anticipated to significantly exceed the City's minimum 15% open space

requirement for single-family residential development, providing at least 10.3 acres or 39% of the single-family development units (Parcels 4B and 4C) as open space. Open space and amenity programming will be central design features for each development unit within this community. The single-family portion of the project will include two park amenity areas, ensuring that all residents have convenient walkable access to a variety of open space and amenity opportunities. The multi-family portion of Willow at El Cidro will separately satisfy the City's open space requirements for multi-family residential uses. In addition to having full access and connectivity to the overall community open space amenities, the multi-family portion of the project will have its own exclusive park amenity area.

Commission discussed the look of the apartments and expressed a desire to have all parts of the development look cohesive, as well as more roofline articulation. Commission expressed appreciation for the trail system and the open space.

Commission asked for clarification on the size of the development and the size of the land use designations. Mr. William's deferred to the applicant for this information.

Commission expressed concern over the deviations requested from city standards, as well as the financial impact to the city due to increased density of the development. Mr. Williams stated that staff evaluated the water and sewer reports for this development. The previous proposal here did not contemplate the eastern trail corridor or the Cotton lane corridor. This development did enhance the spaces that would justify some of the reductions in sizes. When a deviation is requested from city standards, there is always an offset requested, such as more open space or additional amenities.

Commission asked about the future SR303 plans. Mr. Williams explained that the plans he had seen for the freeway show it raised to go over Buckeye and Yuma rd. This portion of El Cidro will be separated from the west side of the development because of the 303 and frontage roads.

Alex Hayes, representing the applicant, presented an overview of the project.

Commission asked if the applicant would be open to stepping down part of the apartment complex near the other residential within the development. Mr Hayes stated that there is a certain yield to get the units needed, as well as staff recommending a change to the orientation of the buildings to reduce line of sight into the lower density areas of the project.

Resident Kristi Duce Romero spoke in opposition to the project, citing issues with the height increase, apartment height adjacent to single family homes, and compatibility with surrounding properties.

There being no further public comment, Chairman Clymer closed the public hearing at 6:49 pm.

Commission discussed the orientation of the buildings, roof-line variation, building height, noise buffering, step down options for the 3-story buildings, deviations requested by the applicant, adjacency to the proposed SR303, the varied mixed uses within the project, and potential stipulations.

MOTION BY Vice Chair Maria Sambito, **SECONDED BY** Commissioner Ernie Nepomuceno to add a stipulation mandating varied roof heights, pitches and tower elements on all multi-family units within the project and allowing staff to clarify the language of the stipulation for City Council. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Maria Sambito, Commissioner Kent Hegedus,
Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Jeremiah Smith,
Commissioner Ernie Nepomuceno

Passed - Unanimously

MOTION BY Vice Chair Maria Sambito, **SECONDED BY** Commissioner Marlon Booth to add a stipulation that any multi-family building within 100 feet of the LDR5 zoning district must reduce the end units to be at the 2nd story line, and allowing staff to clarify the language of the stipulation for City Council. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Maria Sambito, Commissioner Kent Hegedus,
Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Jeremiah Smith,
Commissioner Ernie Nepomuceno

Passed - Unanimously

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Marlon Booth to RECOMMEND approval for 23-200-00007 EL CIDRO 9TH RESTATED PAD (WILLOW AT EL CIDRO) with 2 additional stipulations. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Maria Sambito, Commissioner Kent Hegedus,
Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Jeremiah Smith,
Commissioner Ernie Nepomuceno

Passed - Unanimously

3. **AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO CONVENIENCE USES, AUTOMOTIVE REPAIR, AUTOMOBILE SERVICE STATION (GAS STATIONS), USE PERMITS, AND SPECIAL USE PERMITS**

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

Planning Manager Christian Williams presented the request for a text amendment to add new definitions and to modify definitions and standards related to automotive repair facilities, gas stations and convenience uses. The proposed text amendment includes the revisions to the following provisions in the Goodyear Zoning Ordinance for the purposes described:

- Article 2-2 (Definitions): Amends the definitions of “Automotive Repair” and “Service Station, Automotive” to delineate between automotive repair uses and gas stations; adds a definition for “Convenience Store”; amends the definition of “Convenience Uses”, which require use permits to remove gas stations and modifying the stores that require a use permit to only stores with drive-through facilities; adds the definition of “Truck Stop/Travel Center” to differentiate between gas stations and truck stops; and
- Sections 3-3-2(A) and 3-3-2(C) are amended to allow gas stations without commercial fueling stations for semi-trucks and subject to regulations and convenience stores without drive-through facilities subject to regulations as principal permitted uses in the C-1 (Neighborhood Commercial District), and removing gas stations as a use permit use in the C-1 (Neighborhood Commercial District); and,
- Sections 3-3-3(A) and 3-3-3(C) are amended to allow gas stations without commercial fueling stations for semi trucks and subject to regulations as well as convenience stores without drive-through facilities subject to regulations as principal permitted uses in the C-2 (General Commercial District) and removing gas stations as use permit uses in the C-2 (General Commercial District) ; and,
- Sections 3-4-1(A) and 3-4-2(A) are amended to allow gas stations subject to regulations as principal permitted uses in the I-1 (Light Industrial Park) and in the I-2 (General Industrial Park); and,
- Section 4-1-3 (Special Uses Considered in Specified Districts) is amended to make minor modifications as well as to allow Truck Stops/Travel Centers as a special use within I-2 (General Industrial Park) when outside both the Luke Air Force Base and Phoenix-Goodyear Airport noise contour area.
- Section 4-2-2 (Convenience Uses) is amended to make minor modifications to the requirements for the evaluation of convenience uses; and
- Section 4-2-3 (Automobile Service Station (Gas Stations) Regulations) is amended to adopt regulations for gas stations, which previously required a use permit but are now being permitted as principal uses in various zoning districts.

Commission asked for clarification on the reasoning for the zoning district changes and what is able to locate within the varied districts. Mr. Williams explained that there are many uses that carryover between zoning districts. The intensity of a gas station is less than a larger industrial structure. Development Services Director Katie Wilken explained that many zoning ordinances allow all uses from less intensive districts into the more intensive use districts, such as Industrial allowing all Commercial and Residential uses.

Commission discussed the standards of the request and expressed appreciation for the clarity it will provide

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

MOTION BY Vice Chair Maria Sambito, **SECONDED BY** Commissioner Anthony Wang to RECOMMEND approval for P24-00057 AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO CONVENIENCE USES, AUTOMOTIVE REPAIR, AUTOMOBILE SERVICE STATION (GAS STATIONS), USE PERMITS, AND SPECIAL USE PERMITS. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Maria Sambito, Commissioner Kent Hegedus, Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Jeremiah Smith, Commissioner Ernie Nepomuceno

Passed - Unanimously

STAFF COMMUNICATIONS

Development Services Director Katie Wilken introduced the new Deputy Director of Planning Kim Bradford.

NEXT MEETING

The next Planning and Zoning Commission Meeting will be held on September 11, 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 7:32 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Date: _____

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