



City of Avondale

City Council Meeting

 [**Link to Summary of Council Actions**](#)

 [**Link to Meeting Minutes**](#)



City of Avondale

City Council Online Meeting

Monday, August 24, 2020

Summary of Council Actions

Mayor and Council

Kenn Weise, Mayor

Pat Dennis, Vice Mayor

Tina Conde, Council Member | Bryan Kilgore, Council Member

Veronica Malone, Council Member | Curtis Nielson, Council Member

Mike Pineda, Council Member

Administration

Charles A. Montoya, City Manager

Gina Montes, Assistant City Manager

Tracy Stevens, Deputy City Manager

Nicholle Harris, Interim City Attorney

Marcella Carrillo, City Clerk

Online Meeting

Join the meeting and view presentations: <https://avondaleaz.zoom.us/j/3083557784>

Using a Mobile Device? Download the Zoom Cloud Meeting App

Join the meeting with audio only: Call 301-715-8592 (meeting ID: 308 355 7784)



Summary of Council Actions

City Council Online Meeting

Notice & Agenda

Monday, August 24, 2020

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Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email their comments to CityClerk@AvondaleAZ.gov prior to consideration of that agenda item.

REGULAR MEETING

7:00 PM

CALL TO ORDER BY MAYOR

PLEDGE OF ALLEGIANCE

MOMENT OF REFLECTION

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

(Limit three minutes per person. Please state your name.)

3. RECOGNITION ITEMS

a. ARIZONA PARKS AND RECREATION ASSOCIATION – OUTSTANDING FACILITY AWARD

City Council **received** an award on behalf of the City for Outstanding Facility (Population 10,000-100,000) from the Arizona Parks and Recreation Association for Festival Fields Park.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. MINUTES

City Council **approved** the July 27, 2020 Work Session, July 27, 2020 Regular Meeting, and August 10, 2020 Regular Meeting minutes. The Council will take the appropriate action.

b. RESOLUTION 1057-0820 - CANVASS OF VOTES FOR THE AUGUST 4, 2020 PRIMARY ELECTION

City Council **adopted** Resolution 1057-0820 canvassing the results of the August 4, 2020 Primary Election and authorize the City Clerk to issue Certificates of Election. The Council will take appropriate action.

c. RESOLUTION 1058-0820 – INTERGOVERNMENTAL AGREEMENT FOR PARTICIPATING IN THE ARIZONA CHILD ABDUCTION RESPONSE TEAM.

City Council **adopted** Resolution 1057-0820 authorizing the Avondale Police Department's participation in an Intergovernmental Agreement for Participating in the Arizona Child Abduction Response Team (AZCART) and authorized the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. RESOLUTIONS 1059-0820 AND 1060-0820 - AGREEMENTS PERTAINING TO THE GILA RIVER GENERAL STREAM ADJUDICATION

City Council **adopted**: (a) Resolution 1059-0820 authorizing the First Amendment to the Intergovernmental Agreement with the Cities of Glendale, Mesa, and Scottsdale for joint legal representation in the Gila River General Stream Adjudication; (b) **adopted** Resolution 1060-0820 authorizing a Legal Services Contract With Engelman-Berger for continued representation in the Gila River Stream General Adjudication; and (c) authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

e. RESOLUTION 1061- 0820 - GRANT FROM MARICOPA ASSOCIATION OF GOVERNMENTS FOR STREET SWEEPER

City Council **adopted** Resolution 1061-0820 authorizing the acceptance of grant funding from the Maricopa Association of Governments for the purchase of a replacement street sweeper in an amount not to exceed \$239,967; the expenditure of a local match in an amount not to exceed \$20,000; and the purchase of a street sweeper for a total not to exceed purchase price of \$259,967; and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

f. RESOLUTION 1062-0820 - GRANT - FIRST THINGS FIRST SOUTHWEST MARICOPA REGIONAL PARTNERSHIP COUNCIL

City Council **adopted** Resolution 1062-0820 authorizing the grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorized the Mayor, City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

g. EMPLOYMENT AGREEMENT WITH CHARLES A. MONTOYA

City Council **approved** the Amended Employment Agreement with Charles A. Montoya and authorize the Mayor and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. ADOPT PARK NAME AT ALAMAR DEVELOPMENT

City Council **adopted** a name for the future community park in the Alamar development. City Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2024-0820 – MAJOR AMENDMENT TO THE AVONDALE AUTOMALL PLANNED AREA DEVELOPMENT (PAD) - APPLICATION PL-20-0119

City Council will **held** a public hearing and **adopted** Ordinance 2024-0820, by Paul Gilbert, of Beus Gilbert McGroder PLLC, for a Major Amendment to the Avondale Automall PAD to conditionally permit one (1) automotive dealership selling used vehicles only, provided that the dealer has a minimum consolidated annual revenue of \$500 million and shall maintain a minimum of 140 vehicles on display at all times on the Avondale Automall property. This PAD amendment is proposed for a single 6.02 net acre property (APN 102-54-102) located in the western portion of the Avondale Automall PAD. This area is depicted in Exhibit F and fully described (as a legal description) in Exhibit G and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. PUBLIC HEARING - CONDITIONAL USE PERMIT FOR ECHOPARK AUTOMOTIVE, AVONDALE AUTOMALL – APPLICATION PL-20-0120

City Council will **held** a public hearing and **approved** a request by Paul Gilbert, of Beus Gilbert McGroder PLLC (on behalf of EchoPark Automotive), for a Conditional Use Permit (CUP) to allow for the operation of one (1) automotive dealership selling used vehicles only, provided that the dealer has a minimum consolidated annual revenue of \$500 million and shall maintain a minimum of 140 vehicles on display at all times. The subject request is contingent upon City Council approval of a Major Planned Area Development (PAD) Amendment (application PL-20-0119) to the Avondale Automall, to conditionally permit one (1) such a used vehicle only dealership, meeting the criteria described above, at this subject property. The subject property (APN 102-54-102) is located within the western portion of the Avondale Automall PAD. The Council will take appropriate action.

d. PUBLIC HEARING AND ORDINANCE 2025-0820 - ENTRADA ANNEXATION – APPLICATION PL-19-0227

City Council will **held** a public hearing and **adopted** Ordinance 2025-0820, approving a request by Ms. Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, on behalf of property owner Avondale Entrada, L.L.C., annexing approximately 203.86 acres generally located at the northwest corner of 107th Avenue and Broadway Road into the jurisdiction of the City of Avondale. The properties within the proposed annexation boundary are inclusive of some, but not all, unincorporated land located north of Broadway Road, west of 107th Avenue, south of Miami Avenue, and east of Avondale Boulevard. The Council will take appropriate action.

e. PUBLIC HEARING AND ORDINANCE 2026-0820 - REZONING FROM URBAN RESIDENTIAL (R1-6) AND RURAL RESIDENTIAL (RR-43) TO PLANNED AREA DEVELOPMENT (PAD) FOR ENTRADA – APPLICATION PL-19-0201

City Council will **held** a public hearing and **adopted** Ordinance 2026-0820, approving a request by Ms. Toni Bonar, AICP, HILGARTWILSON, LLC, to rezone approximately 185.55 acres located at the northwest corner of 107th Ave and Broadway Rd from Rural Residential (RR-43) and Urban Residential (R1-6) to Planned Area Development (PAD) to allow for the development of a single-family residential community consisting of a maximum of 624 lots with eighteen (18) percent open space (approx. 29 acres) on 176.6 acres, a density of approximately 3.5 units/acre. Additionally, the PAD would allow for 9.0 acres located at the northwest corner of 107th Ave and Broadway Rd to be developed with commercial uses in accordance with the uses and development standards of the City's Neighborhood Commercial (C-1) zoning district. The property is currently in the jurisdiction of Maricopa County and the annexation of the property is to be considered at this same meeting. The Council will take appropriate action.

f. AVARI APARTMENTS – DEVELOPMENT PLAN – APPLICATION PL-19-0308

City Council **approved** a request by by Mr. Andrew Yancey, Bergin, Frakes, Smalley and Oberholtzer, PLLC, for a Development Plan for Avari Apartments, a proposed 354-unit multi-family apartment community located on 16.44 net acres located at the northwest corner of Avondale Boulevard and the Corporate Drive alignment. The Council will take appropriate action.

6. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
August 24, 2020

A **Regular Meeting** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 7:00 p.m. All participants attended by phone or video.

Mayor Weise led the pledge of allegiance.

Members Present: Mayor Kenn Weise; Vice Mayor Pat Dennis; Council Members Tina Conde, Bryan Kilgore, Veronica Malone, Curtis Nielson, and Mike Pineda.

Members Absent: None.

Other Municipal Officials Present: Charles Montoya, City Manager; Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Nicholle Harris, Interim City Attorney; Marcella Carrillo, City Clerk; Cindy Blackmore, Public Works Director; Jessica Blazina, Intergovernmental Affairs Administrator; Jeff Case, Fire Chief; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Cherlene Penilla, Human Resources Director; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately ten members of the public were present.

1. ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. RECOGNITION ITEMS

a. ARIZONA PARKS AND RECREATION ASSOCIATION – OUTSTANDING FACILITY AWARD

City Council received an award on behalf of the City for Outstanding Facility (Population 10,000-100,000) from the Arizona Parks and Recreation Association for Festival Fields Park.

Presented by Bryan Hughes, Director of Parks and Recreation, stated that during the week of August 10th, the Arizona Parks and Recreation Association held its annual conference virtually. On August 11th, annual awards were announced live. Avondale was honored to learn that Festival Fields Park was recognized with the Outstanding Facility award for this year in the category population of 10,000 to 100,000. Festival Fields Park improvements were dedicated in November of 2019. Mr. Hughes recognized project

partners, J2 Engineering and Environmental Design and Haydon Building Corporation. Mr. Hughes presented the award to City Council and thanked them for their support.

Vice Mayor Dennis congratulated the Parks & Recreation Department and the City's partners. The facility is a beautiful addition to the community.

Council Member Pineda added that many residents living in the vicinity of Festival Fields have expressed appreciation for such quality amenities.

Council Member Nielson concurred with all the positive comments and congratulated staff.

Council Member Kilgore shared that a nearby resident was preparing to move but decided to stay when she heard that improvements were coming to the park. He thanked staff for providing that to the residents and expressed his appreciation to the staff.

Council Member Malone echoed previous comments, explaining she has received many comments from residents on such an amazing park. She proudly stated the City has addressed safety concerns in terms of children crossing the street.

Council Member Conde echoed the positive comments, adding that she and her family love visiting the park. She thanked staff for all their hard work.

4. CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

Mayor Weise asked if any Council Member wished to have an item removed from the Consent Agenda. Having no requests from Council, motion was made by Council Member Nielson, seconded by Council Member Pineda, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

a. MINUTES

City Council approved the July 27, 2020 Work Session, July 27, 2020 Regular Meeting, and August 10, 2020 Regular Meeting minutes.

b. RESOLUTION 1057-0820 – CANVASS OF VOTES FOR THE AUGUST 4, 2020 PRIMARY ELECTION

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City Council adopted Resolution 1057-0820 authorizing the Avondale Police Department's participation in an Intergovernmental Agreement for Participating in the Arizona Child Abduction Response Team (AZCART) and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

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City Council adopted Resolution 1062-0820 authorizing the grant agreement with the First Things First Southwest Maricopa Regional Partnership Council to receive \$200,000 in funding and authorized the Mayor, City Manager and City Clerk to execute the necessary documents.

g. EMPLOYMENT AGREEMENT WITH CHARLES A. MONTOYA

City Council approved the Amended Employment Agreement with Charles A. Montoya and authorized the Mayor and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

a. ADOPT PARK NAME AT ALAMAR DEVELOPMENT

City Council considered a request to formally adopt a name for the future community park in the Alamar development.

Bryan Hughes, Director, Parks and Recreation, stated that the Park will be a focal point of the community and a prominent gathering place for area residents. The park will feature ballfields, soccer fields, basketball, tennis courts, pickleball courts, picnic ramadas, playgrounds, splash pad, amphitheater, a dog park, restrooms, lake for fishing and area lighting throughout. The process of naming the park began with an ad hoc committee comprised of staff from Parks & Recreation, Development & Engineering Services and Marketing & Public Relations. From there, staff solicited names from the committee, the Parks & Recreation Advisory Board and the City Council. Twenty names were received for consideration, several being submitted with explanations. The Committee voted via an online poll. The top four names were: Agua Fria Foothills Park, Alamar Park, Lakin Ranch Park and Meridian Park.

During the Parks & Recreation Advisory's August 12th meeting, they noted the developer's desire to name the park after the community, the fact that the park is located in the community and ultimately, people would probably be calling it Alamar park anyway. The name and distinct logo design honor Avondale and the West Valley's longstanding ranching, agrarian history and culture. Brookfield Residential submitted a letter to the Parks & Recreation Advisory Board and City Council reaffirming their desire to name the park Alamar Community Park, which has been their intent for several years. The Parks and Recreation Advisory Board voted unanimously to recommend Alamar Community Park as the formal name for the new park within the Alamar Development.

Mayor Weise noted that Council Members received a call or correspondence from Brookfield. In considering the park location, it makes sense to call it Alamar. One concern with Brookfield is that Mayor Weise wants to ensure that Alamar Park is open to all Avondale residents.

Mr. Montoya stated that in speaking with John Bradley with Brookfield, staff made sure the developer is aware of these concerns.

Council Member Conde said that given the reasoning, she is okay with the Alamar name. It should be clear that the park is for the City of Avondale as a whole community and not just for the Alamar subdivision.

Council Member Nielson cited to the Parks & Recreation website, where it stated, "Come out and enjoy one of Avondale's ten City parks." He likes the idea of Alamar Park. He referenced a neighborhood park where the known name within the community does not match the formal name of the park.

Council Member Pineda said he spoke with John Bradley at Brookfield, Mr. Montoya and others regarding his opinion. He drove to the site with his wife and the first question she

asked was whether the park was only for the Alamar community. Others will likely have the same question. In driving through the community and considering branding, he did not wish to see the park named after a specific individual. He would like the name to reflect the community with the name and to not use Alamar in the name would be a disservice to the development.

Vice Mayor Dennis concurred with previous comments. She agreed with Mayor Weise that the park should be marketed and presented as an Avondale community park. She expressed excitement with the park moving forward.

Council Member Kilgore stated he did not have any concerns with the name Alamar, so he is fine with the recommended name. He agreed that the park should be for everyone and that access to all Avondale residents is more important than the name itself. He expressed the importance of the park's success, making sure all Avondale residents can participate in the park.

Council Member Malone concurred with other comments that the park should be welcoming to all residents.

Vice Mayor Dennis moved to formally adopt Alamar Park as the name for the future community park in the Alamar development, seconded by Council Member Malone.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 5b and 5c were presented together and voted on individually.

b. PUBLIC HEARING AND ORDINANCE 2024-0820 – MAJOR AMENDMENT TO THE AVONDALE AUTOMALL PLANNED AREA DEVELOPMENT (PAD) APPLICATION PL-20-0119

City Council held a public hearing and considered a request to adopt Ordinance 2024-0820, by Paul Gilbert, of Beus Gilbert McGroder PLLC, for a Major Amendment to the Avondale Automall PAD to conditionally permit one (1) automotive dealership selling used vehicles only, provided that the dealer has a minimum consolidated annual revenue of \$500 million and shall maintain a minimum of 140 vehicles on display at all times on the Avondale Automall property. This PAD amendment is proposed for a single 6.02 net acre property (APN 102-54-102) located in the western portion of the Avondale Automall PAD. This area is depicted in Exhibit F and fully described (as a legal description) in Exhibit G.

Rick Casswell, Senior Planner, stated that the amendment would allow for the operation of an EchoPark automotive, used car only dealership. The business is very similar to a Fortune 500 company like a CarMax auto dealership. EchoPark automotive is a subsidiary of Sonic Automotive, one of the largest retailers in the nation. Mr. Casswell provided an overview of the property details, located at the corner of 107th Avenue and Roosevelt, south of the I-10 freeway. Main Event entertainment facility is located to the northeast and Enterprise Car Rental is located to the south. The property exists within the Avondale Automall Planned Area Development (PAD), with various PADs within the vicinity. The parcel is located within the business park land use designation area. Currently, the City only has automotive dealerships which sell both new and used vehicles. This amendment would allow used vehicles only, with the inventory being within two to four years old. The dealership would be conditionally permitted, provided they have a minimum consolidated annual revenue of \$500 million and a minimum of 140 vehicles on display at all times. These conditions of approval will ensure a high-quality used car product. The amendment will be submitted to a Conditional Use Permit (CUP). The property is just over six acres and has been vacant for approximately 14 months. Prior to that time, there was high turnover on the property. Development standards will remain the same with allowable uses of the PAD continuing to be allowable for this property.

Mr. Caswell reviewed the details of the CUP as well as improvements to the site. He reviewed visuals of the site plan and elevations. The proposed amendment is in conformance with the General Plan 2030 Land Use Map. The land use designation is business park and it will continue to provide a corporate commerce function. The Amendment also conforms with the Freeway Corridor Specific Plan. The Plan states that the Automall is an economic engine and its vitality should be maintained. The Amendment will result in compatible land use relationships. Adequate public infrastructure to support development presently exists.

In consideration of the CUP, it is consistent with the General Plan 2030 Land Use Map and furthers the objectives for development within the Freeway Corridor Specific Plan. It is compatible with and will not be detrimental to surrounding uses. The proposed site plan conforms with all City development standards in terms of setbacks, parking and landscaping. The site has appropriate access to surrounding streets and any adverse effects will be mitigated through conditions of approval.

In terms of public participation, notice was provided to all owners within 1,000 feet of the property on July 23rd. Postings were placed onsite and a legal advertisement was included in the Arizona Republic. A neighborhood meeting was held on June 30, 2020 with seven participants. Four attendees were part of the Cactus Jack's Auto group who had been previously interested in leasing the subject property as well as the Fiat dealership to the west. Unfortunately, their interest was expressed just after an agreement had been reached with EchoPark. There was one comment on aVOICE in support of the development. Staff recommends approval of PL-20-0119, subject to one recommended condition of approval. Staff also recommends approval of PL-20-0120, subject to three recommended conditions of approval. The Planning Commission recommended approval at its meeting on August 19th.

Mayor Weise opened the public hearing and received one request to speak by the applicant, Paul Gilbert with Beus Gilbert McGroder PLLC. Mr. Gilbert stated that given the very thorough presentation and the fact that there is strong support by both staff and the Planning Commission, he had nothing significant to add.

Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Conde inquired on the number of jobs the business would bring to Avondale. Mr. Gilbert introduced John Russ, representing EchoPark, who stated that the store will support 75 associate positions.

Council Member Nielson inquired if cars would be brought in off of the Roosevelt Street south entry, also noted as the employee entrance. He expressed concern with other dealerships in the area that consistently have semi-trucks unloading vehicles which impedes travel. Mr. Russ said the rear entrance will be mainly for associates. In terms of unloading vehicles, they prefer to bring the haulers onto the lot, rather than unloading on Roosevelt Street. Council Member Nielson asked about the presence of a maintenance or service area. Mr. Russ said the main role is to sell used vehicles. The only service would relate to reconditioning, which involves topping of fluids and other minor maintenance.

Council Member Pineda commented that his son is 16 years-old with a driver's license. They took him to look at vehicles recently; however, they are not seeking a \$45,000 vehicle. Just as Avondale desires a diverse selection of housing for its residents, it is also desirable to have a diverse supply of auto dealers. That said, he favors quality over quantity in terms of dealerships. Based upon the information presented, this proposed business fits the bill in terms of satisfying members of the community.

Vice Mayor Dennis said she attended the neighborhood meeting. The City has made major investments in the Automall. She agrees with Council Member Pineda that creating a balance of options for the community is desirable. She likes the fact that the dealership will only offer quality used cars. Mr. Gilbert commented that the stipulations were vigorously considered and negotiated with City staff to ensure that the business will have the quality characteristic to Avondale.

Mayor Weise asked how they will quantify the \$500 million in annual revenue. Mr. Montoya stated that after speaking to Mr. Gilbert and the business, the City plans on doing spot checks throughout the year. In addition, as the City receives sales taxes from the business, they will have information as to sales levels. In response to a question from Mayor Weise, Mr. Montoya stated that if approved, the current CUP covers only the business being addressed today and another dealership of this type would be addressed separately. In addition, the City will wait a year or two to observe operations before further

recommendations are made to Council. Mayor Weise commented that the business fits with the City's goals and provides residents with an alternative to new cars.

Council Member Pineda moved to adopt Ordinance 2024-0820, approving Application PL-20-0119 Avondale Automall Major PAD Amendment, subject to one (1) recommended condition of approval as listed in the Staff Report, seconded by Vice Mayor Dennis.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

c. PUBLIC HEARING CONDITIONAL USE PERMIT FOR ECHOPARK AUTOMOTIVE, AVONDALE AUTOMALL – APPLICATION PL-20-0120

City Council held a public hearing and considered a request by Paul Gilbert, of Beus Gilbert McGroder PLLC (on behalf of EchoPark Automotive), for approval of a Conditional Use Permit (CUP) to allow for the operation of one (1) automotive dealership selling used vehicles only, provided that the dealer has a minimum consolidated annual revenue of \$500 million and shall maintain a minimum of 140 vehicles on display at all times. The subject request is contingent upon City Council approval of a Major Planned Area Development (PAD) Amendment (application PL-20-0119) to the Avondale Automall, to conditionally permit one (1) such a used vehicle only dealership, meeting the criteria described above, at this subject property. The subject property (APN 102-54-102) is located within the western portion of the Avondale Automall PAD.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing.

Vice Mayor Dennis moved to approve Application PL-20-0120, approving a Conditional Use Permit, within the Avondale Automall PAD zoning district, subject to three (3) recommended conditions of approval as listed in the staff report, seconded by Council Member Conde.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Note from the City Clerk: Items 5d and 5e were presented together and voted on individually.

d. PUBLIC HEARING AND ORDINANCE 2025-0820 – ENTRADA ANNEXATION – APPLICATION PL-19-0227

City Council held a public hearing and considered a request to adopt Ordinance 2025-0820, approving a request by Ms. Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, on behalf of property owner Avondale Entrada, L.L.C., annexing approximately 203.86 acres generally located at the northwest corner of 107th Avenue and Broadway Road into the jurisdiction of the City of Avondale. The properties within the proposed annexation boundary are inclusive of some, but not all, unincorporated land located north of Broadway Road, west of 107th Avenue, south of Miami Avenue, and east of Avondale Boulevard.

Ken Galica, Division Lead Planner, stated that the proposed annexation includes additional acreage beyond what the proposed rezoning boundary includes. Approximately 204 acres are included in the annexation. This discrepancy is because the annexation includes properties owned by the Littleton Elementary School District and the City of Goodyear, which are now part of the proposed community. The proposed rezoning covers approximately 186 acres. Upon annexation, the properties will have City R1-6, Urban Residential and Rural Residential 43 zoning, which are compatible with County R1-6 RUPD and Rural 43 zoning. Surrounding land uses are largely agricultural or rural in nature, including a large Maricopa County island to the north and west. East of 107th Avenue is the City of Phoenix, largely undeveloped with the exception of a single-family residential subdivision, Lions Gate. The area to the south is currently undeveloped but soon to be under construction as Verde Trails and west of Avondale Boulevard is Alamar.

In looking at the General Plan, the majority of the property is designated medium density residential land use designation, allowing two and a half to four dwelling units per acre. At the direct northwest corner of 107th Avenue and Broadway Road, approximately ten acres will be reserved for a future commercial site. The property will be developed with 624 single-family residential lots, accommodating detached residences. Primary access will be provided through a new collector street which will loop between 107th Avenue on the East and Miami Avenue to the north. In addition, there are two local street connections, one from 107th Avenue, north of the Powerline Corridor and one from Broadway Road. There are a number of amenities within the development. The 2.5-acre central park features a large open-air pavilion, fitness stations, yoga lawn, outdoor workspaces with outlets and Wi-Fi, basketball and pickleball courts, shaded children's play equipment, family water play area and large turf areas.

The north end of the site will include an outdoor game area, which includes additional pickleball courts, children's play equipment, amphitheater, ramada, barbeque grills, cornhole and additional turf for open play. There is a dog-centric park featuring areas for small and large dogs just north of the community center. The development also includes

a 0.8-acre work-play park that is located south of the central park, which includes a basketball court, ramada, outdoor workstations with bar seating, outlets, Wi-Fi, shaded playground and open play turf. The Powerline corridor will be improved by the developer, including an 8 to 20-foot wide landscaped trail, frisbee golf course and signage. The developer proposed a desert-adapted riparian landscape theme inspired by the water conveyance channels. Theming includes bridges, river rock and water features at the primary entry, which utilize recycled irrigation water and a faux pedestrian bridge.

The proposed annexing and rezoning, in staff's opinion, will result in development that is compatible with and complementary to the surrounding area, both existing rural residential uses as well as planned suburban density. The proposed density conforms to the General Plan Land Use Map for medium density residential as well as local commercial designation. Exceptional open space is provided throughout. The development design standards are in conformance with the City's design manual. Infrastructure improvements to 107th Avenue, Broadway Road and Miami Avenue will be completed by the developer. All required notifications have been completed. A neighborhood meeting was held in October of 2019 and several attendees had general questions about the project, but no serious concerns were raised. No comments were received via aVOICE. The Planning Commission recommended approval in June 2020 subject to six recommended stipulations. The annexation public hearing was held on July 27th, 2020 with no public comments. Staff recommends approval of both items.

Mayor Weise opened the public hearing and did not receive any requests to speak. Ms. Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC was present and available for questions on behalf of the developer. Mayor Weise closed the public hearing.

Council Member Conde commented that this is the first time she has heard of a work/play area, stating having the outdoor workstation will be helpful, particularly for parents.

Council Members Malone and Kilgore did not have any questions regarding the presentation.

Council Member Nielson referenced the school property and noted the need for adequate bus access as well as adequate crosswalks for the school children. Mr. Galica said that once the school develops plans for the site, traffic staff will ensure safe access. In terms of pedestrian crossing, the preliminary layout is designed to ensure that children are not crossing the street at unforeseen areas. Council Member Nielson referenced the central park area and asked for clarification on the size. Mr. Galica stated the park area is 2.5 acres minimum but may be larger depending on final design. Council Member Nielson asked about the entity responsible for the electrical outlets and Wi-Fi at the parks. Mr. Galica stated that once the developer sells a certain percentage of lots in the community, the Homeowners Association will be responsible for maintenance.

Council Member Pineda commented that with Avondale Boulevard as a major corridor, the developments coming in the area are of high quality. It is encouraging that there will be ample housing opportunities in the City.

Mayor Weise agreed, noting that not too long ago, the City would never have considered 45-foot-wide lots. In looking at the success of Roosevelt Park II and Alamar, the market is calling for this.

Vice Mayor Dennis stated that she likes the park variation and available activities. In response to a question, Mr. Galica stated there will not be any onsite parking at the central park; however, parking is allowed on the public streets surrounding the park. Vice Mayor Dennis asked whether the streets would accommodate parking and directional driving. Mr. Galica stated that the street is designed to handle two-way traffic with parking on both sides. Vice Mayor Dennis asked about having the streets marked for safety and to present an organized appearance. Mr. Galica said they could explore the possibility of striping parking spaces on the street adjacent to the park. Vice Mayor Dennis asked about safe connectivity with the powerline area. Mr. Galica said they have not yet reached this level of detail in terms of sidewalk locations and this will be covered during the preliminary plat stage, but they will certainly request connectivity between the open spaces. Although it is not part of this project, the darker portion of the map on the southern end of the Powerline corridor is reserved for the Durango Regional Channel. In response to a question from Vice Mayor Dennis, Mr. Galica said the Durango Regional Channel will be an open regional flood conveyance channel. Vice Mayor Dennis requested that staff make note in terms of future design to providing access across the channel.

Mayor Weise said he is impressed with the project progress and the planned appearance and quality. The uniqueness of the parks is appreciated, providing features for a variety of ages. Going forward, the City should continue to look at electrical and Wi-Fi coverage at its parks.

Member of the public, Ms. Oberholtzer, thanked City Council for their attention to the detail on the project, expressing appreciation for the comments made. She was available for questions on behalf of the developer.

Council Member Nielson moved to adopt Ordinance 2025-0820, annexing approximately 203.86 acres generally located at the northwest corner of 107th Avenue and Broadway Road, seconded by Council Member Conde.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

e. PUBLIC HEARING AND ORDINANCE 2026-0820 – REZONING FROM URBAN RESIDENTIAL (R16) AND RURAL RESIDENTIAL (RR-43) TO PLANNED AREA DEVELOPMENT (PAD) FOR ENTRADA – APPLICATION PL-19-0201

City Council held a public hearing and considered a request to adopt Ordinance 2026-0820, approving a request by Ms. Toni Bonar, AICP, HILGARTWILSON, LLC, to rezone approximately 185.55 acres located at the northwest corner of 107th Ave and Broadway Rd from Rural Residential (RR43) and Urban Residential (R16) to Planned Area Development (PAD) to allow for the development of a singlefamily residential community consisting of a maximum of 624 lots with eighteen (18) percent open space (approx. 29 acres) on 176.6 acres, a density of approximately 3.5 units/acre. Additionally, the PAD would allow for 9.0 acres located at the northwest corner of 107th Ave and Broadway Rd to be developed with commercial uses in accordance with the uses and development standards of the City's Neighborhood Commercial (C1) zoning district. The property is currently in the jurisdiction of Maricopa County and the annexation of the property is to be considered at this same meeting.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing.

Vice Mayor Dennis moved to adopt Ordinance 2026-0820, approving Application PL-19-0201 Entrada, a request to rezone approximately 185.55 acres from Urban Residential (R1-6) and Rural Residential (RR-43) to Planned Area Development, subject to six (6) recommended conditions of approval as listed in the staff report, seconded by Council Member Pineda.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

f. AVARI APARTMENTS – DEVELOPMENT PLAN – APPLICATION PL-19-0308

City Council considered a request by Mr. Andrew Yancey, Bergin, Frakes, Smalley and Oberholtzer, PLLC, for approval of a Development Plan for Avari Apartments, a proposed 354-unit multi-family apartment community located on 16.44 net acres located at the northwest corner of Avondale Boulevard and the Corporate Drive alignment.

Ken Galica, Division Lead Planner, provided an overview of the site characteristics. The property was annexed in 1976 and is located within the BLVD's Village District, which allows for a range of commercial and residential uses subject to the condition of a minimum density of 18 dwelling units per acre. The property was rezoned as part of the City-initiated BLVD rezoning in March of 2020. There is an existing traffic signal at

Corporate Drive and Avondale Boulevard which will become a four-way intersection with completion of the project. Public entry to the site is located off Corporate Drive. Several additional emergency access points are provided. Pedestrian access is plentiful, with 11 pedestrian gates providing access to Avondale Boulevard, Corporate Drive and 117th Avenue sidewalks. This helps to achieve the BLVD Plan, which stresses the importance of walkability. There are 40 buildings in total onsite, consisting of 28 residential, eight parking garages, and four community buildings.

The residential buildings range between two and four stories. There is a clubhouse, fitness center, maintenance building and restroom/changing facility. Each garage building accommodates eight single-car garages to provide 64 garages for a total of nearly 130 garage spaces in the 60 buildings. There are 231 additional covered carport parking spaces and 306 uncovered spaces. All units will be assigned a covered space or garage.

The landscape plan was reviewed, including double rows of trees along Avondale Boulevard, Corporate Drive and 117th Avenue sidewalks to make the sidewalks usable and shaded. The development includes an indoor clubhouse which features a conference/business center, media center/movie theater, lounge, and event kitchen for residents. The 4-thousand square foot fitness center is much larger than other multi-family developments within the City, to include an equipment gym and separate exercise classroom, restrooms, locker spaces, and open-air aerobics class spaces. The northeast corner of the property includes a cardio gym with a glass frontage along Avondale Boulevard to present an energetic and vibrant scene. There are two pools with amenities, one designated as a family pool area. The development includes a shaded child play area as well a five-hole artificial turf putting green. Two linear dog parks are located along the north property line. Adjacent to 117th Avenue and separate from the sidewalk, there will be a multiuse path that will eventually connect to the Van Buren Street trail. Public plazas are located outside of the project gates and are open to the public, each containing shaded seat walls and one with a water feature. The contemporary elevations were reviewed. Energy efficient construction is proposed, including energy efficient appliance, lighting, HVAC systems and windows.

Staff finds that the proposal conforms to the BLVD Village District General Plan as well as the zoning district and the BLVD-Specific Plan. There is ample vehicular and pedestrian access to the site with parking in excess of minimums. Open space and amenities exceed minimum requirements with landscaping exceeding the minimum requirements. Contemporary architecture furthers the aesthetic goals of the BLVD. The developer will complete adjacent half-street improvements. The exception parcel can be integrated into the Avari Apartments if acquired by the developer. The Planning Commission recommended approval in July and staff recommends approval.

Mayor Weise described this as another piece of the puzzle in driving traffic and residences down on Avondale Boulevard to achieve the goal of a vibrant city center.

Council Member Conde thanked Mr. Galica for the presentation and stated that the developer has done a fantastic job with all the amenities, particularly the pedestrian gates for walkability. In response to a question, Mr. Galica confirmed that all units facing

Avondale Boulevard will have functional balconies. Council Member Conde inquired as to who will be managing the community. Ms. Oberholtzer stated that the owner/developer will serve as manager, explaining they locally manage over 3,000 units.

Council Member Kilgore thanked Mr. Galica for the presentation and described it as an excellent project. He also expressed appreciation to the Planning and Zoning Commission, sharing his appreciation for their hard work and feedback.

Council Member Nielson referenced the exception area and asked for confirmation that the space may be integrated in the future. Mr. Galica confirmed the understanding; however, the current owner and buyer would have to agree on that transaction.

Council Member Nielson asked for confirmation that the only entrance and exit for vehicles is on Corporate Drive. Mr. Galica confirmed that this is the only public access to the site for residents but additional emergency-only access. In response to a question from Council Member Nielson, Mr. Galica stated that the project will include pedestrian signals, flashing walk signals and striped crosswalks across Avondale Boulevard.

Council Member Pineda stated he was interested to see how long the exception lot would be vacant especially with the four-story building neighboring the site. Council Member Pineda suggested an outdoor deck within one of the buildings that faces Avondale Boulevard. Lastly, he complemented the façade and elevations. He expressed interest in seeing who the customer-type will be with this housing community. Mr. Galica stated that discussions will continue, and they will try to incorporate this suggestion, if possible.

Vice Mayor Dennis said she was very impressed with the presentation, including the amenities, layout, variety of building sizes, and the four-story buildings on Avondale Boulevard. She echoed comments from other, stating accessibility and walkability are very important. In response to a question, Mr. Galica stated the unit sizes will consist of one, two, and three-bedroom units. In response to a question from Vice Mayor Dennis, Mr. Galica stated he was not aware of a timeframe by which the opportunity to acquire the exception lot would expire. Ms. Oberholtzer added that the developer/owner has made numerous attempts to acquire the property, but there is no indication that the current property owner wants to sell. In response to a question from Vice Mayor Dennis, Mr. Galica estimated the size of the exception lot to be approximately one acre. Vice Mayor Dennis suggested staff have a backup plan with respect to the exception lot.

Mayor Weise agreed with Vice Mayor Dennis, stating a backup plan is a good decision. He asked Ms. Oberholtzer to keep the City updated on the progress of acquiring the property. He noted the need for new apartment complexes in Avondale and the desire to provide diversity in housing.

Council Member Conde moved to approve Application PL-19-0308 Avari Apartments, a request for a Development Plan approval for a proposed 354-unit multi-family residential development, subject to twelve conditions of approval as listed in the staff report, seconded by Council Member Nielson.

Upon vote, the motion carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

6. ADJOURNMENT

There being no further business before the Council, Vice Mayor Dennis moved to adjourn the Regular Meeting; Council Member Pineda seconded the motion.

Upon vote, the motion was carried unanimously 7 to 0.

Council Member Conde	Aye
Council Member Kilgore	Aye
Council Member Malone	Aye
Council Member Nielson	Aye
Council Member Pineda	Aye
Vice Mayor Dennis	Aye
Mayor Weise	Aye

Meeting adjourned at 8:49 p.m.

Kenn Weise, Mayor

CERTIFICATION AND ATTESTATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 24th day of August 2020. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk