Planning Commission Online Meeting Summary Actions
Wednesday, October 21, 2020

ZOOM CLOUD MEETING | 11465 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323

Note from the Clerk: The October 21, 2020 Planning Commission meetings was hosted online using the online Zoom Cloud Meeting platform. All participants attended by phone or video.

Summary Actions

1. **CALL TO ORDER** **The meeting was called to order at 6:00 PM**

2. **ROLL CALL** by Chair Iwanski

3. **OPENING STATEMENT**

   Chair Iwanski read the Opening Statement.

4. **APPROVAL OF MINUTES**

   The Planning Commission **Approved** the September 16, 2020 Meeting Minutes. The Planning Commission will take appropriate action. **Minutes were approved as amended.**

5. **PUBLIC HEARING ITEMS**

   a. ZONING ORDINANCE TEXT AMENDMENT – SECTION 1303.B MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION - APPLICATION PL-20-0167

   Planning Commission will hold a public hearing and consider a request by Ms. Lauren Niehaus, Harvest Health & Recreation, Inc. for a text amendment to the Avondale Zoning Ordinance, Section 1303.B (Medical Marijuana Uses/Requirements), extending the permitted hours of operation of medical marijuana dispensaries from 8:00 P.M. to 10:00 P.M. The Commission will take appropriate action. **The Item was approved.**

   Staff Contact: Chris Sexton, Planner

6. ACTION ITEMS

a. VILLAGE - AT THE BLVD – DEVELOPMENT PLAN – APPLICATION PL-20-0114

Planning Commission will consider a request by Ms. Shelby Duplessis, EMC Management, LLC, for approval of a Development Plan for Village at The BLVD, a proposed 187-unit, singlestory multi-family residential community in The BLVD located on 15.92 net acres at the southwest corner of the alignments of Roosevelt Street and 111th Avenue. The proposed development provides for a density of 11.7 dwelling units per acre. Commission will take appropriate action and forward a recommendation to City Council. **This item was approved.**

Staff Contact: Ken Galica, Division Lead Planner

7. PLANNING DIVISION REPORT

Brian Craig informed the Commission that the next meeting will also be virtual due to Covid-19.

8. CALENDAR

November 18, 2020

9. ADJOURNMENT **The meeting was adjourned at 6:41 PM**

Members will attend by telephone conference call. Los miembros asistiran via teleconferencia. 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 meeting. 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.

PLANNING COMMISSION REGULAR MEETING MINUTES

Wednesday, October 21, 2020
6:00 P.M.

Note from the Clerk: The October 21, 2020 Planning Commission meetings was hosted online using the online Zoom Cloud Meeting platform. Chair Iwanski attended in person and all other participants by phone or video.

1. CALL TO ORDER

Chair Iwanski called the Regular Meeting to order at 6:00 P.M.

2. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT IN PERSON/PHONE/VIDEO
David Iwanski, Chair
Lisa Amos, Commissioner
Maribel Guerrero, Commissioner
Lisa Osborne, Commissioner
Denise Stanfield, Commissioner
Christopher Thompson, Commissioner
Larry White, Alternate Commissioner

COMMISSIONERS ABSENT (EXCUSED}
Linda Warren, Vice Chair

CITY STAFF PRESENT
Nicholle Harris, City Attorney
Jodie Novak, Assistant Director
Brian Craig, Planning Manager
Ken Galica, Division Lead Planner
Chris Sexton, Planner
Stephanie Small, Sr. Management Analyst
Denise Zazueta, Administrative Assistant

3. OPENING STATEMENT

Chair Iwanski read the Opening Statement.

Note: Commissioner Stanfield joined the meeting at 6:04 P.M.

4. APPROVAL OF MINUTES

a. <u>September 16, 2020</u>

Commissioner Thompson moved to approve the September 16, 2020 minutes as presented; Commissioner Amos seconded the motion.

Upon vote, the motion was carried unanimously 5 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

Note: Commissioner Osborne joined the meeting at 6:09 P.M.

5. PUBLIC HEARING ITEMS

a. ZONING ORDINANCE TEXT AMENDMENT – SECTION 1303.B MEDICAL MARIJUANA DISPENSARY HOURS OF OPERATION - APPLICATION PL-20-0167

Planning Commission held a public hearing and considered a request by Lauren Neihaus, Harvest Health & Recreation, Inc., for a text amendment to the Avondale Zoning Ordinance, Section 1303.B (Medical Marijuana Uses/Requirements), extending the permitted hours of operation of medical marijuana dispensaries from 8:00 P.M. to 10:00 P.M. The Commission will take appropriate action.
Staff Contact: Chris Sexton, Planner

Ms. Sexton prefaced the presentation by stating that the request is for a simple text amendment and therefore the presentation will be brief. The applicant-initiated request is to amend Section 13 of the Zoning Ordinance, which is Medical Marijuana Uses, specifically Section 1303.B which determines hours of operation. Currently, the hours of operation for all medical marijuana dispensaries in the City of Avondale is no earlier than 9:00 a.m. and no later than 8:00 P.M. The request is to allow dispensaries to operate two (2) additional hours, to close no later than 10:00 P.M. As a point of clarification, this is an amendment to the Zoning Ordinance and not just to the one operating facility in the City.

By way of background, in November of 2010, voters approved Proposition 203 (Arizona Medical Marijuana Act). In February of 2011, the City Council approved Section 13, which is the City of Avondale medical marijuana uses regulations. Section 13 then established the regulations for dispensaries, including location requirements and limits on hours of operation. In August of 2014, City Council approved the amendment to the Zoning Ordinance to allow dispensaries to operate on weekends. In September 2019, City Council approved various amendments to the Zoning Ordinance, including the extension of operating hours for two (2) hours, from 6:00 P.M. to 8:00 P.M.

Ms. Sexton provided a slide comparison to other cities and their permitted dispensary hours. Glendale and Phoenix are both open until 10:00 P.M. Surprise has no restrictions. The Cities of Tolleson and Peoria

are open until 9:00 P.M. All required notifications for the Zoning Ordinance Text Amendment were completed. Two (2) comments were received on aVOICE; one in favor and one opposed. In looking at the extension of hours request, the proposed amendment would accommodate the diverse needs of patients who are not able to get to dispensaries due to their work hours. The time extension aligns with other municipalities in the West Valley. Staff recommends approval of the application.

Chair Iwanski invited the applicant to speak. Ms. Neihaus stated that the 10:00 P.M. closing time is in alignment with Arizona Administrative Code. The additional hours will provide patients with expanded access for those who do not work traditional work hours. The expanded hours will also keep revenues in the City, rather than having patients go to other jurisdictions.

Commissioner Thompson inquired as to the approach of extending only until 10:00 P.M. rather than following suit with Surprise, which has no time restrictions. Ms. Neihaus stated that the business aims to be in line with State law; Arizona Administrative Code outlines 10:00 P.M. as the closing time.

Chair Iwanski opened the public hearing on this item. Staff received no requests to speak and there were no comments from the public. Chair Iwanski closed the public hearing and invited a motion.

Commissioner Thompson moved that the Planning Commission recommend approval of Application PL-20-0167, a request for a text amendment to the Avondale Zoning Ordinance, Section 1303.B (Medical Marijuana Uses/Requirements), extending the permitted hours of operation of medical marijuana dispensaries from 8:00 P.M. to 10:00 P.M. Commissioner Osborne seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

6. ACTION ITEMS

a. VILLAGE AT THE BLVD - DEVELOPMENT PLAN - APPLICATION PL-20-0114

Planning Commission considered a request by Shelby Duplessis, EMC Management, LLC for approval of a Development Plan for Village at The BLVD, a proposed 187-unit, single-story multi-family residential community in The BLVD on 15.92 net acres located at the southwest corner of the alignments of Roosevelt Street and 111th Avenue. The proposed development provides for a density of 11.7 dwelling units per acre. The Commission will take appropriate action.
Staff Contact: Ken Galica, Division Lead Planner

Mr. Galica provided an overview of the development location. Surrounding uses are largely undeveloped to the east, north and west. To the east of the property is the Roosevelt Park Development, the last phase of which expected to be under construction within the next couple of years. To the north, there is no planned development. To the west is The BLVD area, which has several active projects in various planning phases. To the south is Waterford Square single-family residential community. Properties north, east, and

south of the site are zoned Planned Area Development (PAD). The property was annexed in 2009. It is located within The BLVD's Residential District, which allows for outwardly-oriented high-density multi-family residential developments. The property was rezoned to The BLVD District (BLVDD) in accordance with the property's The BLVD Residential District General Plan land use designation in March of 2020. Development plans within this area must go through an approval process requiring Planning Commission review and recommendation and City Council review and approval.

Mr. Galica reviewed the site plan for the gated community. The project will have primary access off the north side of the property from Roosevelt Street and secondary access off 111th Avenue on the east side. Both will be full access ingress, egress driveways. The project includes 187 units, including 22 detached three-bedroom units, 105 detached two-bedroom units and 60 duplex one-bedroom units (30 buildings each featuring two one-bedroom units). The development will also include a leasing office, clubhouse, and fitness center. The primary design challenge with this project has been to take a residential product that is traditionally inwardly-oriented and redesigning it to be outwardly focused, to achieve The BLVD Specific Plan's goal that The BLVD be a more urban, socially-oriented, pedestrian-connected area. To this goal, the project is designed so that units front directly onto Roosevelt Street and 111th Avenue, directly onto the public sidewalks. Residents of those perimeter units will have direct access to the public sidewalk from their front doors, a more urban type of design than having walled backyards adjacent to perimeter streets.

The interior of the project is designed more traditionally, with units fronting onto open space walkway corridors that connect residents to the project's open space, parking areas, and the like. These interior units will have indirect access to adjacent public sidewalks through a multitude of pedestrian gates to both Roosevelt Street and 111th Avenue. Sixteen (16) total garage buildings, each containing four (4) individual single-car garages (for a total of 64 single-car garages), are provided, eight of which contain personal storage units for resident use. The development includes 347 parking spaces inclusive of the 64 garages, 186 covered spaces, and remainder of uncovered spaces, ten (10) more than the 337-space minimum required by the Zoning Ordinance. Additionally, Roosevelt Street within The BLVD will be built using the modified The BLVD section which is slightly wider than the City's typical Minor Collector roadway section, allowing for on-street parallel parking along the south curb of Roosevelt Street.

Approximately 8.5 acres of open space are provided, with 2.5 usable acres, meeting the fifteen (15) percent minimum required in BLVDD zoning. The project's primary recreational area consists of a centralized 1.2-acre amenity zone, which includes a wide variety of multigenerational amenities including a resort-style pool, gaming area, grilling area, fire pit, yoga lawn, two (2) hammock lounging areas, dog park and large grass areas for open play. Additionally, a 70-foot-wide trail multi-use trail corridor is provided along the southern edge of the property. This corridor includes the southern 30-foot segment of the subject property as well as the existing adjacent 40-foot strip of right-of-way. Before the creation of The BLVD Specific Plan, Roosevelt Street had been expected to run south of the subject property. The Roosevelt Street alignment was revised to run north of the subject property, and the right-of-way south of the site was no longer needed to accommodate construction of a street, though a pedestrian-only connection in that location will provide much desired pedestrian connectivity from adjoining neighborhoods such as Waterford Square and Roosevelt Park to the existing and future amenities within The BLVD. The developer will be constructing a ten (10) foot multi-use trail within the existing 40-foot strip. Next to the right-of-way, on the private property, the developer will be providing seating nodes, lighting and landscaping to create a pleasant pedestrian experience. The full width of the corridor will be usable by all residents, not only those living within the Village at The BLVD development.

Architecture and elevation styles were reviewed. Staff highlighted the exceptional variety provided, noting that there are three (3) diverse building types, each with three (3) distinct elevations, and each elevation style being provided in three (3) contrasting color schemes. This means that 27 different building/elevation/color scheme combinations will be provided, ensuring that no two (2) adjacent buildings will be alike.

Staff believes that the project conforms to The BLVD Residential District General Plan designation as well as the BLVDD zoning and The BLVD Specific Plan. The density is under the minimum requirement within The BLVD Residential District, however, BLVDD zoning allows a master development to have components that are under density if the overall development meets minimum density requirements. This being a portion of a larger property, the remainder of the property, a little less than ten (10) acres, will have to be developed at a higher density of around 30 units per acre to achieve the minimum eighteen (18) dwelling unit per acre threshold for the entire property. With regard to compatibility with existing uses, the one-story units within this project will provide a compatible transition to the existing single-family residential to the south. There is functional access to the site for residents as well as for emergency vehicles and City trucks. Outside circulation also meets City requirements for fire truck turning radius. Parking is provided in excess of minimums. Open space and amenities exceed minimum requirements. The contemporary architecture provides exceptional variety with 27 different building type, elevation, and color scheme combinations. The developer will construct and complete all adjacent half street improvements. Staff recommends approval of the application subject to ten (10) conditions.

Chair Iwanski invited questions from the Commissioners.

Chair Iwanski inquired as to school district impacts. Mr. Galica stated that the development is in the Littleton Elementary School District service area, as well as the Tolleson Union High School District. As the zoning to allow for residential uses is already in place, the districts are not asked for confirmation of adequate capacity. However, as the City moved forward with The BLVD (and, originally, the City Center Specific Plan), both districts were aware that there would be the potential for significant student enrollment in the area resulting from high-density multi-family uses.

Chair Iwanski invited the applicant to address the Commission. Ms. Sherry Koshiol stated that this will be the developer's fourth project of this type. They are currently working on three (3) other projects in the West Valley. There is a desire in the community for simple, yet high quality community living. They have touched base with the school districts and are preparing to enter into agreements.

Commissioner Amos asked whether the homes will have yard space. Mr. Galica confirmed that each of the units have small fenced private backyards. Though private, the property management company will ensure they are maintained in an orderly manner at all times.

Chair Iwanski invited further comments. There were no additional comments and Chair Iwanski invited a motion.

Commissioner Osborne moved that the Planning Commission recommend approval of Application PL-20-0114, approval of a Development Plan for Village at The BLVD, a proposed 187-unit, single-story multi-family residential community in The BLVD on 15.92 net acres located at the southwest corner of the alignments of Roosevelt Street and 111th Avenue subject to ten (10) recommended conditions of approval as listed in the staff report; Commissioner Thompson seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

7. PLANNING DIVISION REPORT

Mr. Craig stated that at the November 18th meeting, staff will be bringing text amendments to the Zoning Ordinance for the Commission's consideration. If approved by the Commission, they will be forwarded to the City Council in December.

The League of Arizona Cities and Towns is putting on a training on November 12th entitled "Roles, Responsibilities and Best Practices of a Planning and Zoning Commission Member." The City would be happy to pay for Commissioner entry fees to the webinar that will be put on via Zoom. Those interested should contact him by Monday, November 2nd.

Commissioner Guerrero announced her resignation from the Commission, as she is relocating to the City of Litchfield Park. She thanked everyone for their support. Chair Iwanski stated that it has been a privilege to know and work with Commissioner Guerrero.

8. CALENDAR

The next meeting is November 18, 2020

9. ADJOURNMENT

There being no further business before the Commission, Commissioner Thompson moved to adjourn the regular meeting; Commissioner Osborne seconded the motion.

Upon vote, the motion was carried unanimously 6 to 0.

David Iwanski, Chair	Aye
Commissioner Amos	Aye
Commissioner Guerrero	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Thompson	Aye

Meeting adjourned at 6:41 P.M.