



City of Avondale

City Council Meeting

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

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



City of Avondale

City Council Online Meeting

Monday, February 1, 2021

Summary of Council Actions

Mayor and Council

Kenneth Weise, Mayor

Veronica Malone, Vice Mayor

Tina Conde, Council Member | Pat Dennis, Council Member

Bryan Kilgore, 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 | Cherlene Penilla, Deputy City Manager

Nicholle Harris, 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, February 1, 2021

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WORK SESSION

6:30 PM

CALL TO ORDER BY MAYOR

1. ROLL CALL BY THE CITY CLERK

2. COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDING

City Council **received** an update from staff on the Community Development Block Grant (CDBG) CARES Act funding and provide input on community needs. This item is for discussion only.

3. ADJOURNMENT

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda or under unscheduled public appearance should email a Request to Speak 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. PROCLAMATION HONORING DETENTION OFFICER JAMES PLYMESSER

City Council **presented** a proclamation honoring Detention Officer James Plymesser for his seventeen years of dedicated service to the Avondale community. This item is for discussion only.

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** December 14, 2020 City Council Budget Retreat Meeting Minutes. The Council will take the appropriate action.

b. RESOLUTION NO. 1007-0221- APPROVAL OF 2020-2021 HOME CONSORTIUM INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY

City Council **adopted** Resolution 1007-0221, authorizing an Intergovernmental Agreement with Maricopa County to allow the City to receive an allocation of Federal funding under the HOME Investment Partnership Program in the amount of \$206,370 for the 2020-2021 fiscal year and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

c. COST PARTICIPATION AGREEMENT WITH THE ROOSEVELT IRRIGATION DISTRICT FOR NORTH AVONDALE WATER SUPPLY PROJECT

City Council: (a) **approved** a Cost Participation Agreement with Roosevelt Irrigation District for post design services associated with the North Avondale Water Supply Project in an amount not to exceed \$11,559.35; (b) **authorized** an appropriations transfer; and (c) authorize the City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

d. ORDINANCE 2008-0221- SALT RIVER PROJECT (SRP) CONSTRUCTION CONTRACT & EASEMENT FOR NORTH AVONDALE WATER SUPPLY PROJECT

City Council **adopted** Ordinance 2008-0221 for a Construction Contract and dedication of a power distribution easement with the Salt River Project (SRP) for SRP to operate, construct and maintain electrical facilities within Avondale right-of-way and authorize the Mayor or City Manager and City Clerk to execute the necessary documents. The Council will take appropriate action.

5. REGULAR AGENDA

a. PUBLIC HEARING AND RESOLUTION 1008-0221 - MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR NIRVANA AT HARBOR SHORES – APPLICATION PL-20-0194

City Council **held** a public hearing, **approved** a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., on behalf of property owner Mr. Sharat Kanaka, Nirvana at Harborshores, LLC, and **adopted** Resolution 1008-0221, approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Nirvana at Harbor Shores, a proposed 172-unit multi-family residential apartment development located approximately 600 feet north of the northwest corner of McDowell Road and Harbor Shores Boulevard. The proposed Minor General Plan Amendment, if approved, will amend the land use designation of approximately 7.80 gross acres, inclusive of the 7.00-acre property and full width of the adjacent Harbor Shores Boulevard right-of-way, from Local Commercial (LC) to High Density Residential (HDR). The HDR designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. A request to rezone the property to Nirvana at Harbor Shores Planned Area Development (PAD) to allow for development in conformance with the HDR designation will be considered separately. The Council will take appropriate action.

b. PUBLIC HEARING AND ORDINANCE 2009-0221 - REZONING FROM MCDOWELL AND 107TH AVENUE PLANNED AREA DEVELOPMENT (PAD) TO NIRVANA AT HARBOR SHORES PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-20-0199

City Council **held** a public hearing, **approved** a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., on behalf of property owner Mr. Sharat Kanaka, Nirvana at Harborshores, LLC, and **adopted** Ordinance 2009-0221, to rezone approximately 7.40 gross acres of land located approximately 600 feet north of the northwest corner of McDowell Road and Harbor Shores Boulevard from McDowell and 107th Avenue PAD to Nirvana at Harbor Shores PAD. The proposed Nirvana at Harbor Shores PAD would allow for development of the site with a contemporary 172-unit multi-family residential apartment community at a density of 24.6 units per acre. The rezoning request applies to 7.40 gross acres inclusive of the 7-acre subject property and the half-width of the adjacent Harbor Shores Boulevard right-of-way. A request to change the General Plan 2030 Land Use Map designation of the property from Local Commercial to High Density Residential to allow residential development at the proposed density will be considered separately. The Council will take appropriate action.

c. ALAMAR PHASE 4 – PRELIMINARY PLAT – APPLICATION PL-20-0216

City Council **approved** a request by Mr. Frank Koo, Wood, Patel & Associates, Inc., for a Preliminary Plat for Alamar Phase 4, a proposed 486-lot single-family residential subdivision on approximately 161.17 gross acres located at the southwest corner of the planned El Mirage Road realignment and the planned Alamar Boulevard alignment. The Council will take appropriate action.

d. ROOSEVELT PARK PHASE 3 – PRELIMINARY PLAT – APPLICATION PL-20-0168

City Council **approved** a request by Mr. Joe Petrucci, EPS Group, Inc., for a Preliminary Plat for Roosevelt Park Phase 3, a proposed 135-lot single-family subdivision on 29.66 gross acres approximately 1,300 feet north of the northeast corner of Van Buren Street and 111th Avenue, on the east side of 111th Avenue. 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
February 1, 2021

A **Work Session** of the City Council of the City of Avondale, Arizona was convened using the Zoom Cloud Meeting platform in open and public session at 6:30 p.m. All participants attended by phone or video.

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

Members Absent: Vice Mayor Veronica Malone.

Other Municipal Officials Present: Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Cherlene Penilla, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: Approximately 10 members of the public were present.

1. ROLL CALL BY THE CITY CLERK

2. COMMUNITY DEVELOPMENT BLOCK GRANT - CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY (CARES) ACT FUNDING

City Council received an update from staff on the Community Development Block Grant (CDBG) CARES Act funding and provided input on community needs.

Chris Lopez, Neighborhood and Family Services Director, stated that the CARES Act was signed into law on March 27, 2020, with \$20 billion authorized for the Community Development Block Grant (CDBG) Program. During the first round, Avondale's allocation was \$426,811. An additional allocation has been authorized by the U.S. Department of Housing and Urban Development (HUD), with Avondale receiving \$606,152. Eligible activities must meet a national objective, including benefiting low to moderate income persons, aiding in the prevention and elimination of slum or blight; and meeting an urgent need in the community. Examples include: Assistance to small businesses; buildings and building improvements; and increasing public services. Avondale's activities were reviewed, including allocations for small business assistance and residential eviction prevention.

For the next round of funding, staff recommends \$110,000 for a new program to provide hotspots for students impacted by the pandemic. Another recommendation includes

\$85,000 to nonprofit organizations providing shelter for the homeless. Additional funds will address small business assistance and residential eviction prevention.

The school hotspot program is being proposed to assist the community by providing a vital service. There is a digital divide for a lot of students even before the pandemic as students were without sufficient access to the Internet. This program will make the internet available to students which would allow students to meet their educational objectives.

Mayor Weise asked for clarification that staff proposes to increase Wi-Fi hotspots around City buildings or to expand access to places where it does not currently exist. Mr. Lopez clarified that the proposal is for specific mobile hotspots that students would have access to in-home. Alternatively, they could take the mobile hotspot with them to a location conducive for use. This will be accomplished through grants to the school districts, who would assist in administration. Hotspots would come with a one-year limited subscription with educational filters.

Mr. Lopez continued with his presentation, providing information on the Temporary Shelter Program. Staff work closely with several non-profit organizations and serve the homeless population and especially those that offer a congregate shelter. The shelters are experiencing struggles due to COVID-19. The shelters are requiring individuals to test negative before they can have access to the congregated setting. This requires the shelters to create a quarantine environment for individuals who test positive. Staff are proposing grants to some of the nonprofit organizations and would be easily facilitated through existing agreements.

Council Member Nielson said there have been discussions with the Littleton District in terms of locating a need for internet access. He mentioned partnering with the school would be beneficial. He asked whether the homeless population would have to be moved out of Avondale to have shelter access. Mr. Lopez stated that I-HELP shelter is typically first to respond to the City's needs and there are several other shelters across the Valley that the City works with to provide services. In terms of internet access, City staff will assess the need across the districts in order to appropriately allocate assistance. They are also looking at bringing in access through hotspots at the library.

Mayor Weise stated that a couple of years ago, Universal Technical Institute (UTI) had offered to allow public school students access to their computer labs and he would like to know if the offer still stands. Mr. Lopez stated staff will explore that option.

Council Member Kilgore thanked Mr. Lopez for the presentation and stated allocating HUD funds is something the City does well. He believes the funds are being allocated appropriately and he likes how the funds are being mapped out. He gave kudos to Mr. Lopez and his team. He spoke about the importance of the addition of the temporary shelter, noting there are students and families that may be included under the McKinney Vento Act. He stated the hotspot program is honorable and noble as he has seen how this is a constant need among students. He has witnessed the school districts trying to find ways to help the students who are internet deficient. He liked the fact the hotspots

may only be used for educational purposes. He spoke positively about the fact this program will be administered through a grant that will be available to the schools to apply for. Through his experience as a teacher, he recommends staff look into using, Light Speed, which is a program that allows administrators to view student laptops in the district in order to monitor the appropriateness of the sites visited and block as necessary. In closing, he asked about whether unused funds will be reallocated. Mr. Lopez stated that they have the ability to make a 20 percent adjustment across the program activity. Anything greater than that would be considered a substantial amendment and require Council approval. Council Member Kilgore agreed with the 20 percent adjustment option and noted that the schools and community will benefit from the presented programs.

Mayor Weise asked Council Member Kilgore to forward information on the Light Speed program to staff. Mayor Weise thanked Council Member Kilgore for his expertise on the matter.

Council Member Conde thanked staff for identifying the needs in the community. She inquired if the budget for the hotspot program will need to be increased. Mr. Lopez stated that staff was faced with the task of distributing funds across program activities to address a range of community needs. Council Member Conde asked whether temporary housing for the homeless is being considered for Avondale hotels. Mr. Lopez confirmed that this is part of the plan. The City will work with the nonprofit organization to determine which hotels make the most sense based on logistics.

In response to a question from Council Member Dennis, Mr. Lopez said the nonprofit organizations want to ensure that COVID-positive individuals must be quarantined in a safe environment. They work to ensure connectivity to the program. In response to a question from Council Member Dennis, Mr. Lopez confirmed that the I-HELP program operates seven days a week.

Council Member Dennis noted that the budget includes \$152,935 for eviction prevention and asked whether the original budget of \$192,065 has been completely expended. Mr. Lopez stated that most of the funds are still available. The City also works with Maricopa County through the CAP Program which had a much more aggressive timeline, where funds had to be expended by December. This new pot of funding has a less aggressive timeline. In response to a question from Council Member Dennis, Mr. Lopez stated that they have not received applications for HOA dues as this is not designed in the program. If the circumstance arises, staff will work with the resident to assist them.

Council Member Pineda commented that the price of \$1,000 per family for a mobile hotspot seems quite high. He suggested working with providers to obtain a possible grant or subsidy to reduce fees. Mr. Lopez stated that staff intends to work with providers to negotiate better rates, particularly when buying in bulk. Council Member Pineda asked for clarity with respect to the hotel use for the homeless residents who test positive for COVID-19. Mr. Lopez clarified that the nonprofit organizations are already utilizing hotels and the hotels are aware of the specific COVID-19 uses. The hotels have been happy to provide this service to the community.

Mayor Weise stated that government should help the most vulnerable in the communities, and he sees the dollars going toward that. He spoke positively on the hotspot program as well as the temporary shelter program. He noted the importance of helping small businesses during this time, speaking about how the Small Business Assistance program had helped a business in Avondale.

3. ADJOURNMENT

There being no further business before the Council, Council Member Conde moved to adjourn the Work Session meeting; Council Member Kilgore seconded the motion.

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

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

Meeting adjourned at 6:59 p.m.

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 7:04 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance. Mayor Weise announced that he signed proclamation honoring Black History Month and shared a few words of reflection.

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

Members Absent: Vice Mayor Veronica Malone.

Other Municipal Officials Present: Gina Montes, Assistant City Manager; Tracy Stevens, Deputy City Manager; Cherlene Penilla, Deputy City Manager; Nicholle Harris, City Attorney; Marcella Carrillo, City Clerk; Kirk Beaty, Public Works Director; Ken Chapa, Economic Development Services Director; Lindsey Duncan, Finance and Budget Director; Bryan Hughes, Parks and Recreation Director; Chris Lopez, Neighborhood and Family Services Director; Callie McGraw, Interim Human Resource Director; Kevin Murphy, Development and Engineering Services Director; Dale Nannenga, Police Chief; Jeffrey Scheetz, Chief Information Officer; and Pier Simeri, Marketing and Public Relations Director.

Audience: No 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. PROCLAMATION HONORING DETENTION OFFICER JAMES PLYMESSER

City Council presented a proclamation honoring Detention Officer James Plymesser on the occasion of his retirement after seventeen years of dedicated service to the Avondale community.

Police Chief Dale Nannenga recognized Detention Officer Plymesser for 17 years with City, providing a summary of his time in service. Mayor Weise read the proclamation into the record. Detention Officer Plymesser spoke of his history with the City. Council Members offered their thanks and congratulations.

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 Dennis, seconded by Council Member Nielson, to approve the Consent Agenda.

Upon vote, the motion carried unanimously 6 to 0.

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

a. MINUTES

City Council approved the December 14, 2020 City Council Budget Retreat Meeting Minutes.

b. RESOLUTION NO. 1007-0221- APPROVAL OF 2020-2021 HOME CONSORTIUM INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY

City Council adopted Resolution 1007-0221, authorizing an Intergovernmental Agreement with Maricopa County to allow the City to receive an allocation of Federal funding under

the HOME Investment Partnership Program in the amount of \$206,370 for the 2020-2021 fiscal year and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

c. COST PARTICIPATION AGREEMENT WITH THE ROOSEVELT IRRIGATION DISTRICT FOR NORTH AVONDALE WATER SUPPLY PROJECT

City Council (a) approved a Cost Participation Agreement with Roosevelt Irrigation District for post design services associated with the North Avondale Water Supply Project in an amount not to exceed \$11,559.35; (b) authorized an appropriations transfer; and (c) authorized the City Manager and City Clerk to execute the necessary documents.

d. ORDINANCE 2008-0221- SALT RIVER PROJECT (SRP) CONSTRUCTION CONTRACT & EASEMENT FOR NORTH AVONDALE WATER SUPPLY PROJECT

City Council adopted Ordinance 2008-0221 for a Construction Contract and dedication of a power distribution easement with the Salt River Project (SRP) for SRP to operate, construct and maintain electrical facilities within Avondale right-of-way and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

5. REGULAR AGENDA

Note from the City Clerk: Agenda Items 5a & 5b were presented together by Ken Galica, Lead Division Planner, Development and Engineering Services.

a. PUBLIC HEARING AND RESOLUTION 1008-0221 - MINOR GENERAL PLAN LAND USE MAP AMENDMENT FOR NIRVANA AT HARBOR SHORES – APPLICATION PL-20-0194

City Council held a public hearing and considered a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., on behalf of property owner Mr. Sharat Kanaka, Nirvana at Harbor Shores, LLC, to adopt Resolution 1008-0221, approving a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Nirvana at Harbor Shores, a proposed 172-unit multi-family residential apartment development located approximately 600 feet north of the northwest corner of McDowell Road and Harbor Shores Boulevard. The proposed Minor General Plan Amendment, if approved, will amend the land use designation of approximately 7.80 gross acres, inclusive of the 7.00-acre property and full width of the adjacent Harbor Shores Boulevard right-of-way, from Local Commercial (LC) to High Density Residential (HDR). The HDR designation allows for development of patio homes, apartments, condominiums, or townhomes with a density ranging between 12 and 30 dwelling units per acre. A request to rezone the property to Nirvana at Harbor Shores Planned Area Development (PAD) to allow for development in conformance with the HDR designation will be considered separately.

Ken Galica, Lead Division Planner, reviewed the property details. Surrounding property is zoned PAD, to the east and north for residential and commercial uses to the west and south. The land has been undeveloped since annexation and rezoning, which occurred in 1985. Current zoning is McDowell and 107th Avenue PAD, allowing for community commercial (C-2). The General Plan Amendment request is to change the designation

from local commercial to high density residential (HDR) as the property has not been developed since annexed. The proposed PAD and site plan were reviewed. There is a future signal planned at the McDowell Road and Harbor Shores Boulevard intersection to the south, which will be warranted as additional commercial uses develop in the McDowell Road corridor. A pedestrian connection is provided from the primary entrance of the site to the Harbor Shores Boulevard public sidewalk. A secondary emergency vehicle access site is provided at the southwest corner.

Building types and details were reviewed. There is a setback of at least 80 feet from the edge of the building to the nearest single-family residential property line. There is 22 percent open space, which exceeds the 20 percent minimum requirement. Amenities were reviewed. Parking requirement minimums are provided, with 295 total spaces, including 76 enclosed garages and 98 carports. The proposed architecture is contemporary with some rustic materials. Staff feels the proposed GPA and rezoning will result in development that is compatible with existing uses in the area. The PAD conforms to the General Plan Land Use Map. Development standards proposed exceed zoning ordinance requirements. All required notifications were completed. Certificates of adequate school facilities have been received. The Planning Commission recommended approval on December 16, 2020.

Mayor Weise opened the public hearing. Dave Keller, resident of a neighboring community, submitted a comment stating that he is against the Harbor Shores development as he does not want a development blocking his view of the mountains.

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

Council Member Conde suggested shortening the timeline for the installation of the traffic light at Harbor Shores. She noted the importance of the pedestrian entrance to the west for children to use for school access. In response, Mr. Galica presented the entrance location on the site map. He stated that the four to five-year timing on the signal installation is only an estimate. Council Member Conde spoke positively on the materials used and the contemporary design. She commented on a desire for three-bedroom units as that is a current need in the community.

Council Member Kilgore noted his surprise that the land was undeveloped for 35 years and noted the change in the zoning is something he is grateful for. He stated he was grateful that the schools were contacted, and they have adequate compacity for the students. He stated he would like to see the traffic light but knows it is projected further out. He is supportive of the sidewalk and liked the idea of putting in a pedestrian gate. He stated that the development will be a good addition to the City in terms of building the City's housing portfolio. Since the onset of COVID, more people have been acquiring pets and it would be nice for the development to have a designated pet area. He stated this type of amenity would be nice and comforting to residents during this time. He noted a comment from a resident regarding this vacant property having landscaping issues, trash, and abandoned shopping carts. The resident commented that they are looking forward to this issue being resolved.

Mayor Weise echoed Council Member Kilgore's comment regarding the vacant land, stating how he was surprised nothing had ever been built on the property before.

Council Member Dennis stated that the proposed development is complementary to the existing neighborhood. She asked if impact fees will assist with the installation of the traffic light. Mr. Galica stated that the City has collected one-quarter of the signal cost from Copper Springs Hospital. In addition, 50 percent will be collected from the Park 10 development, which leaves one-quarter of the cost remaining. This remaining cost is budgeted in a future CIP and the need for the light is completely driven by the commercial development in the corridor.

Council Member Dennis commented that the project is car-friendly, but not pedestrian-friendly. She would like to add a third condition to add pedestrian access on the western boundary. Mr. Galica stated that the City endeavors to provide pedestrian access. In this case, a pedestrian gate would lead to a parking lot. Council is free to require this if they desire. Kevin Murphy, Development and Engineering Services Director, stated that staff recommended against this because they would essentially be dumping pedestrian access into a driveway that the fire department uses for parking and emergency vehicles returning to the fire station. The developer would have to come up with a safe way to move pedestrians across the drive lane to a parking area to 107th Street. Gina Montes, Assistant City Manager, stated that there is an opportunity to take a closer look to see how this might be addressed. Mr. Galica added that the applicant is comfortable providing the connection as directed by Council.

Council Member Nielson asked about a pedestrian route that goes north to Harbor Shores Boulevard. Mr. Galica said Harbor Shores wraps around, connecting to 107th Avenue. Council Member Nielson suggested the possibility of a traffic study. Mr. Galica said the traffic flows were evaluated and that most traffic will go to Harbor Shores.

Council Member Pineda said he empathized with the community member who was not in favor of having the development, as it would disrupt his view of the mountains. Individuals who purchased homes in that individual's gated community will now have an apartment complex directly adjacent to them. He noted that there was no indication at the community meeting from the four attendees present that they shared the same frustrations. He appreciates the setback from the casitas from those properties to the north. There may be a tough sell for residents to the new development, as they will be sandwiched between two medical buildings. At the same time, the City is in need of more multifamily housing availability. The proposed entry discussed earlier in the rear of the development, where residents would funnel into the private drive may be a safety hazard, as this is used by emergency and city vehicles. A better option would be to construct an additional entry in the front to allow pedestrians to take the sidewalk to the north or south.

Mayor Weise commented that this is a difficult property to build on as it is sandwiched between residential and medical. Access to 107th Avenue and McDowell is difficult at best. Concerns with having a gate include traffic, propping open the gate, people loitering in the BioLife Plasma parking lot and entering the apartment complex to utilize its

amenities. Issues like these are dealt with regularly and not a huge issue. Ideally, if residents of the community decide they would like a gate in the future, the management company can propose such plans to the City. He is in favor of the project.

Council Member Dennis commented that one of the City's goals is to create walkable communities and yet with such development proposals, the City negates its own goal of achieving walkability. She would like for staff and the developer to continue to consider potential safe options.

Mayor Weise asked Ms. Montes to provide stipulation for language in Item 5B. Ms. Montes stated that Council is free to direct staff to work with the developer to provide safe pedestrian access to 107th Avenue. A proposed stipulation is as follows: The developer shall provide a safe pedestrian connection from the project to 107th Avenue. The location and design of the pedestrian connection will be finalized during the site plan and design review application. Directing staff will work in earnest to determine whether there is a safe option. Council Member Dennis stated that having a directive to staff in this regard is acceptable.

Shaine Alleman, Tiffany & Bosco, stated that the developer is willing to work with the City to determine whether it is possible to create a safe pedestrian connection to 107th. The only concern with having a stipulation that uses the word "shall" in a situation where such a connection is determined to be unsafe or infeasible. Perhaps the language can just memorialize that they are committed to work with staff to create a safe pedestrian connection.

Ms. Montes stated that the language will direct staff to work with the developer. This will direct them to work towards this goal without the "shall" language.

Mayor Weise commented that Mr. Alleman has a significant history with the City and has been earnest with commitments to work with the City.

Council Member Dennis asked how the cost element will be addressed by the developer. Mr. Alleman stated that if there are ADA provisions offsite for curb cuts or striping to provide the connection, the developer is willing to include these as its costs.

Nicholle Harris, City Attorney, clarified that under Agenda Item B, the wording for the stipulation would be "Direction to staff."

Council Member Pineda moved to approve Application PL-20-0194 Nirvana at Harbor Shores, a request for a Minor Amendment to the General Plan 2030 Land Use Map changing the Land Use designation of 7.80 acres from Local Commercial to High Density Residential through adoption of Resolution 1008-0221; Council Member Dennis seconded the motion.

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

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

b. PUBLIC HEARING AND ORDINANCE 2009-0221 - REZONING FROM MCDOWELL AND 107TH AVENUE PLANNED AREA DEVELOPMENT (PAD) TO NIRVANA AT HARBOR SHORES PLANNED AREA DEVELOPMENT (PAD) – APPLICATION PL-20-0199

City Council held a public hearing and considered a request by Mr. Shaine T. Alleman, Tiffany & Bosco, P.A., on behalf of property owner Mr. Sharat Kanaka, Nirvana at Harbor Shores, LLC, to adopt Ordinance 2009-0221, to rezone approximately 7.40 gross acres of land located approximately 600 feet north of the northwest corner of McDowell Road and Harbor Shores Boulevard from McDowell and 107th Avenue PAD to Nirvana at Harbor Shores PAD. The proposed Nirvana at Harbor Shores PAD would allow for development of the site with a contemporary 172-unit multi-family residential apartment community at a density of 24.6 units per acre. The rezoning request applies to 7.40 gross acres inclusive of the 7-acre subject property and the half-width of the adjacent Harbor Shores Boulevard right-of-way. A request to change the General Plan 2030 Land Use Map designation of the property from Local Commercial to High Density Residential to allow residential development at the proposed density will be considered separately.

Mayor Weise opened the public hearing and received one request to speak. Comments from Dave Keller were given within Agenda Item 5a. Mayor Weise closed the public hearing and did not receive any additional comments from Council.

Council Member Dennis moved to approve Application PL-20-0199 Nirvana at Harbor Shores, a request to rezone approximately 7.40- acres from McDowell and 107th Avenue Planned Area Development to Nirvana at Harbor Shores Planned Area Development subject to two (2) conditions as listed in the staff report through adoption of Ordinance 2009-0221 and a third condition directing staff to work with the developer to find the best way to address a pedestrian access; Council Member Conde seconded the motion.

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

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

c. ALAMAR PHASE 4 – PRELIMINARY PLAT – APPLICATION PL-20-0216

City Council considered a request by Mr. Frank Koo, Wood, Patel & Associates, Inc., for approval of a Preliminary Plat for Alamar Phase 4, a proposed 486-lot single-family residential subdivision on approximately 161.17 gross acres located at the southwest corner of the planned El Mirage Road realignment and the planned Alamar Boulevard alignment.

Ken Galica, Lead Division Planner, reviewed the property details. To the north will be a new collector street, Alamar Boulevard, which will connect to Dysart Road. The property is zoned PAD for single family residential use as part of the Alamar development. The properties to the north, south and east are also all part of Alamar and zoned PAD. The property to the west is currently unincorporated Maricopa County, not part of the PAD, and owned by Tolleson Union High School District. Up to this point, the District has no intention to develop the site with a school. An update on the other phases was provided. The majority of the subject phase is designated medium density residential, which allows 2.5 to 4 dwelling units per acre. The only exception is that the powerline corridor has an estate low density residential designation. Lot sizes and attributes were reviewed.

There are six parks provided in the subject phase. The most significant is Neighborhood Park Number 2, which is nearly three acres and will feature a multipurpose lawn, decorative and community gardens, loop trail system, terrace area, farm shed, olive grove, sand play area, large shaded play area. Parallel parking is provided. The other parks are less than one acre each and include a children's play area, turf area, seating and ramadas. To the south of the project is the powerline corridor with large high voltage powerlines. Such areas typically have limited use. Due to the water rights associated with the property, Alamar has significant turf corridors in the area, allowing recreational uses for residents. There are 11 connections from the subject phase neighborhood directly to the trail corridor. At the end of each cul-de-sac, there is a sidewalk connection to the corridor.

The preliminary plat conforms to the medium density residential General Plan designation as well as the Alamar PAD, zoning ordinance and subdivision regulations. Theming and design will be consistent with the other phases. Certificates of adequate school facilities have been received. The Planning Commission recommended approval in December.

Council Member Conde commented that it is refreshing to see larger lot sizes being added in Alamar and in Avondale in general. She noted the community entices residents to spend time outdoors. Mayor Weise agreed that the main objective for the corridor is to transform the unused land to a community asset.

Council Member Kilgore expressed gratitude to staff for their hard work and to the Planning Commission. He noted Council rely on their expertise and insight. Seeing that they voted for the approval of this item, he is happy to cast his vote of approval as well.

Council Member Dennis inquired about the alignment of El Mirage. Mr. Galica said El Mirage goes south from Las Ligas/Rio Vista, moves south, starts to curve from the

southeast, straightens out and proceeds to Indian Springs Road. El Mirage Road continues to the south where drivers can go east to Broadway Road. Council Member Dennis asked about a light at the intersection of Broadway and El Mirage. Mr. Galica said a light is not anticipated but a four-way stop is expected at the intersection. In response to a question from Council Member Dennis, Mr. Galica stated that he did not have the traffic measurement statistics that would necessitate installation of a light and would have to consult with the City's traffic engineer. Intersections of two collector streets do not typically have signals as those are usually reserved for arterial streets.

Council Member Dennis stated that she wished to ensure accessibility, especially during times where there are events occurring in the area, such as races.

Kevin Murphy, Development and Engineering Services Director, stated that the City uses the Manual on Uniform Traffic Control Devices (MUTCD) to determine the necessity of signal installation. For mitigation on large events, the City would look at the possibility of temporary traffic control.

In response to a question from Council Member Nielson, Mr. Galica confirmed the location of the new park. Wi-Fi will be available in the community park; however, he is not aware whether it will be included in the private parks. Bob Kammerle with Brookfield Development stated that Wi-Fi is available in the development's large Hay Moon Park and neighborhood parks but not in the smaller parks.

Mayor Weise spoke about the location of this project and suggested members of Council to drive the area to see the future site. He stated it was great news to see what is being done with the powerline corridor.

At the request of Mayor Weise, Ms. Montes stated staff will provide Council with driving directions to the site.

Council Member Nielson moved to approve Application PL- 20-0216 Alamar Phase 4 Preliminary Plat subject to four (4) recommended conditions; Council Member Conde seconded the motion.

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

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

d. ROOSEVELT PARK PHASE 3 – PRELIMINARY PLAT – APPLICATION PL-20-0168

City Council considered a request by Mr. Joe Petrucci, EPS Group, Inc., for approval of a Preliminary Plat for Roosevelt Park Phase 3, a proposed 135-lot single-family subdivision on 29.66 gross acres approximately 1,300 feet north of the northeast corner of Van Buren Street and 111th Avenue, on the east side of 111th Avenue.

Rick Casswell, Senior Planner, stated that the property is approximately 30 gross acres and was annexed in 2001. A review of the previous phases and surrounding developments were reviewed. Predominant zoning is Planned Area Development (PAD). The BLVD is located to the west and zoned commerce park. Automotive retailers and business park development are to the east. The property is located within medium high density residential, which applies to all of the Roosevelt Park II with the exception of the local commercial in the southeast quadrant. To the north is freeway commercial. Roosevelt Park I to the south is slightly less dense and medium density residential. Lot types and sizes were reviewed. The main entrance will be at Roosevelt Parkway. Access to the remainder of the site will be from internal means only. The developer will be responsible for the construction of all water, sewer, and street infrastructure. This includes paying a proportional share of future traffic signals at the intersection of Roosevelt and 107th and the intersection of Van Buren and 111th. Along 111th Avenue, there are a number of frontage improvements that will be completed by the developer. This includes asphalt pavement, curb and gutter, sidewalks, streetlights and landscaping along the frontage.

Included in the plan is a 2.1-acre park at the southeast corner. It will include a basketball court, large turf area, open play, fitness stations, ramadas with picnic tables, barbeque grill, and play structures. An additional 1.3-acre park will be located at the southwest corner of the development. It includes a ramada, shade structure, barbeque, turf area, and picnic tables. Overall open space will comprise 21.4 percent. When including phases 1 and 2, there is 23 percent overall open space, which exceeds the 20 percent requirement. The total combined area for the parks is 3.38 acres. Gate designs and monuments will be in compliance with Phase 1 and 2 to create a seamless aesthetic. Required notifications were completed and no comments were received. The proposed subdivision adheres to the requirements of the PAD.

Council Member Nielson asked about a connection to 111th Avenue between Phases 2 and 3. Mr. Casswell did not have the details readily available and Mayor Weise asked staff to follow up in providing the information. The applicant, Joe Petrucci stated there is an access point just south of Phase 3.

Council Member Dennis commented that the access to 111th Avenue is great, particularly when the units are being built up on the BLVD. The trail system amenities are great for the community.

Council Member Kilgore expressed his appreciation for the project and did not have any questions for staff.

Council Member Conde concurred that the connectivity provides great access and adds to the visual aesthetics.

Mr. Casswell stated that certificates of adequate school facilities have been received.

Council Member Dennis moved to approve Application PL-20-0168 Preliminary Plat for the Roosevelt Park Phase 3 development subject to the four (4) recommended conditions as listed in the staff report; Council Member Nielson seconded the motion.

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

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

6. ADJOURNMENT

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

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

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

Meeting adjourned at 8:47 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 Work Session and Regular Meeting of the Council of the City of Avondale held on the 1st day of February 2021. I further certify that the meeting was duly called and held, and that the quorum was present.

Marcella Carrillo, City Clerk

Date Approved by City Council