



Planning Commission
Online Meeting Agenda
Wednesday, April 21, 2021

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REGULAR MEETING

6:00 PM

1. CALL TO ORDER

2. ROLL CALL

3. OPENING STATEMENT

4. APPROVAL OF MINUTES

February 17, 2021

5. DISCUSSION ITEMS

a. OPEN MEETINGS AND LAND USE LAW OVERVIEW TRAINING

Planning Division and City Attorney's Office Staff will provide an overview of Open Meetings Law and various land use topics. No action will be taken.

Staff Contact: Brian Craig, Planning Manager

6. PLANNING DIVISION REPORT

7. CALENDAR

May 19, 2021

8. ADJOURNMENT

Members will attend by telephone conference call. Los miembros asistirán vía 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 oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaría de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

Wednesday, February 17, 2021
6:00 P.M.

Note from the Clerk: The February 17, 2021 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 6:05 p.m.

2. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT IN PERSON/PHONE/VIDEO

David Iwanski, Chair
Christopher Thompson, Vice Chair
Alisha Meginnis, Commissioner
Lisa Osborne, Commissioner
Denise Stanfield, Commissioner
Linda Warren, Commissioner
Larry White, Commissioner
Blanca Uvari, Alternate Commissioner

CITY STAFF PRESENT

Jodie Novak, Assistant Director
Ken Galica, Division Lead Planner
Mary Grace McNear, Assistant City Attorney
Stephanie Small, Senior Management Analyst

3. OPENING STATEMENT

Chair Iwanski read the Opening Statement.

4. APPROVAL OF MINUTES

a. January 20, 2021

Commissioner Osborne moved to approve the January 20, 2021 minutes as presented; Commissioner Thompson seconded the motion.

Upon vote, the motion was carried 7 to 0.

David Iwanski, Chair	Aye
Commissioner Thompson, Vice Chair	Aye
Commissioner Meginnis	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Warren	Aye
Commissioner White	Aye

5. PUBLIC HEARING ITEMS

a. SPECIFIC AREA PLAN FOR OLD TOWN, CASHION AND LAS LIGAS/RIO VISTA (APPLICATION PL-20-0056)

Jodie Novak, Assistant Director, stated that the Plan acts as a guidebook to foster redevelopment and encourage new development in the City's three oldest neighborhoods. This includes development of vacant land and revitalization of streetscapes to enhance neighborhoods. Other important focuses are to ensure that the Old Town Historic Area and Cashion area continue to thrive economically. The plan focuses on district ideas and concepts, particularly to enhance gateway intersections that enter the three (3) neighborhoods. It identifies key focus areas, where the City will look to make improvements in the future. Focuses include placemaking, development form and implementation strategies. Gateway intersections welcome visitors and residents to key areas of the City. The intersection may include decorative signage, low walls, wayfinding, enhanced landscaping or artwork. The focus areas will predominantly be City-owned properties. There are eight (8) key focus area locations in the Old Town area. Some of these were properties were purchased with City funds many years ago. The lots have been maintained and the City is now considering potential ideas for the properties. Concepts were reviewed and are included in the Plan.

Another component of the Specific Area Plan is to look at the Old Town Avondale Business District Overlay (OTAB). The bounded area includes residential properties with the potential to be converted to limited commercial uses such as a boutique, coffee shop, office or bed and breakfast. The Plan proposes to expand the boundary line for this area. This would incorporate other properties and give property owners an opportunity to consider whether they could potentially convert their property to a limited commercial use. This will offer more economic opportunity by having unique boutiques and shops off of Western Avenue.

Cashion is a well-developed neighborhood. The City-owned property located at 111th Avenue and 4th Street was discussed as a potential park site following neighborhood input.

The Las Ligas/Rio Vista District includes significant parcels of individually owned vacant land, zoned residential. It is hoped that with the growth south of the area (Alamar and Verde Trails), property owners may have interest in developing single-family homes. The neighborhood is anchored by Las Ligas Park, the only City-owned land in the area.

Placemaking strategies include wayfinding signage, neighborhood signage, marketing/events, art, community engagement, public infrastructure, land use and zoning and public safety. There is a focus on expanding the wayfinding signing program, which highlights key features for the area. They will also look at signage to provide identity for the three neighborhoods. In addition, the City will address events and marketing for Western Avenue businesses and shops. Community engagement is an important component of this. Public infrastructure improvements are already occurring, with road improvements occurring in Historic Avondale now and over the next few years. The plan discusses land use and zoning with a focus on safety.

Development form focuses on vacant land and design, application of landscaping look and feel, building architecture, signage, public art and beautification, open space and light fixtures. This includes the potential for installing the same light fixtures that are on Dysart Road and Central along Western Avenue.

This plan was presented to City Council as a discussion item. Feedback from Council included:

- Adding trees to lessen heat island effect
- Provide affordable housing
- Incorporate artwork
- Splash pad at Cashion
- Community engagement
- Looking at county sites between Avondale Boulevard and 107th Avenue
- Economic development in terms of business retention and new business, mercado and outdoor dining
- Economic development in terms of encouraging small business startups, vacant commercial parcels, occupying vacant buildings
- Entry signs and lighting
- Long-term funding (15 to 20 years) for improvements
- Naming of Old Town/Historic Avondale; preferred name has been Old Town
- Neighborhood Stabilization Program funds for City-owned properties; evaluating the federal process
- OTAB boundary change
- Expanding parks
- Increase parking in Old Town
- Roundabout at Western Avenue and Dysart Road; the City will need to commission a traffic study to determine the feasibility
- String lights in Old Town, Western Avenue; create a more pedestrian and traffic-friendly experience
- Statue of Sam Garcia

Neighborhood Stabilization funds are HUD granted funds. The City acquired four (4) vacant lots and existing structures were demolished with HUD grant funds. There are land use restrictions tied to the land as a result of using the HUD funding for acquisition. At this time, Neighborhood & Family Services Department is coordinating a request for proposals to potentially procure services possibly from a non-profit to develop the lots. Next steps include continued City staff collaboration and community engagement on parks, art, signage, economic development, parking, traffic, events, neighborhood identity, affordable housing and more.

Chair Iwanski invited questions from Commissioners.

Commissioner Warren asked about resident input and suggestions. Ms. Novak stated that there has been significant community engagement, including two community meetings in March 2020. Over 80 residents attended the first meeting and ten (10) to fifteen (15) came to the second. Staff has also met with commercial brokers, business owners and neighborhood stakeholders. Surveys were gathered during and after the community meetings. A poll was conducted on the website through aVOICE. Neighborhood and Family Services staff has worked with several business owners and residents in the area to get their feedback as well. Notices for this public hearing were sent to over 3,000 property owners within the three (3) target areas. Phone calls were received from six (6) to seven (7) individuals, all of whom indicated that they were happy with the plan.

With no further questions from Commissioners, Chair Iwanski opened the public meeting.

Olivia Castro asked whether outreach communications are being relayed in both English and Spanish. She noted that not all residents have computer access and inquired as to other methods of outreach. She also commented that with 3,000 residents and little input received, this may be indicative that residents are not getting the information. Ms. Novak stated that in accordance with state law, any of these zoning applications that come through Planning Commission and Council have to meet legal statute requirements for advertising in the local newspaper. There are also public hearing signs in the three areas. The City posted information to the City's website as well. English/Spanish postcards containing plan and meeting information were mailed to over 3,000 property owners in the three (3) subject areas; Ms. Novak indicated that many postcards are returned undeliverable due to faulty addressees and that property owners are responsible for ensuring their addresses are up to date with the Maricopa County Assessor's Office. In general, within Avondale, zoning case items do not have a heavy response rate. Ms. Castro stated that it would be helpful to have Staff hold meetings at community parks within the areas so that the information can be relayed in person. Chair Iwanski stated that staff will follow up with the suggested ideas.

Rita Aguilar commented on the contributions of her two sons, who are homebuilders, to the Cashion community and how it has increased pride in ownership in the area.

Kalila Martinez, online commenter, stated: "The City has made an effort to reach out to property owners. Is there any possibility in communicating directly with renters? Does the city know the percentage of renters in these focus areas who will be affected by and may have something to say about the plan?" Ms. Novak stated that the landowners are notified, as they are ultimately responsible for zoning and property improvements. It is hoped that landlords will engage their tenants. This is difficult for City staff, because renters are not considered the legal owner of record. Chair Iwanski stated that Ms. Novak will get back to her in terms of contacting renters.

Kalila Martinez then submitted comments orally in real time. She addressed focus area 5, expanding the OTAB boundaries. It seems to address 50 additional properties outside of what is already zoned OTAB. Ms. Martinez indicated that there is a significant possibility for renters to be displaced as a result of reclassifying the properties from residential to commercial. Ms. Novak stated that expanding the OTAB Zoning District does not automatically change the zoning of someone's property or require anyone to convert a residence to a commercial use. The land will always be zoned for single family residential; the proposed expansion would just allow commercial uses within the area if owners were so inclined. This means they can convert their home to a professional office or café, for example. Ms. Martinez reiterated her concerns for renters who may live in a home that may be converted for business use.

Anthony Aragon asked about the proposed roundabout study. Ms. Novak confirmed that the City will need to include the study in next year's budget in terms of feasibility. The study will determine whether the study will accommodate this design, given the traffic occurring on Dysart and connectivity with the railroad to the south.

Mr. Aragon asked if the City is doing a study to protect residents from gentrification. Ms. Novak said cities are not in a position to automatically change neighborhoods, private property owners with vacant land have the right to go through the public process to request a particular land use or development. Rezoning would go through public hearings for review and a board determination.

Mr. Aragon asked if the City plans to utilize eminent domain to take over blighted properties for development. Ms. Novak said the City code deals with residential homes and commercial buildings that are considered unsafe. If there are safety issues, the City issues notices that the buildings cannot be occupied. Many times, the City does not purchase the property, but instead works with property owners on rehabilitation or demolition. The specific area plan being discussed is a vision and guidebook. There are no initiatives at this time for the City to purchase private property in order to implement the plan.

Mr. Aragon asked if the City has statistics on absentee landowners. Ms. Novak stated that ownership records are maintained by the Maricopa County Assessor, who has an online GIS interactive map to detail ownership. The City utilizes the map as a reference in order to complete the necessary notifications. There is no listing for renters, because they do not legally own the properties.

Mr. Aragon inquired as to plans to build on the tools available to Avondale residents to start their own businesses. He would like to see a program dedicated to building upon the talents and abilities of Avondale residents where the City utilizes these talents for performance of work, and procurement of goods and services. He encouraged the City to implement protections for local businesses and entrepreneurs and to have a study in terms of who will be impacted, what has occurred in other cities, and how to avoid those pitfalls. Ms. Novak stated that the plan is a vision/guidebook and is not all-encompassing. There will be a lot of internal work by various departments in the City, including economic development, in terms of evaluating how to move a plan like this forward. Some of the ideas mentioned by Mr. Aragon are ideas Economic Development will have to evaluate and determine what can occur in terms of promoting new businesses, keeping new businesses, creating business start-ups and other ideas mentioned. Chair Iwanski thanked Mr. Aragon for raising several important points. Chair Iwanski commented that having been an Avondale resident since May of 2004, he can assure that the Mayor and Council are focused not just on new businesses, but to ensure equal time is spent promoting existing businesses and allowing them to grow and prosper.

Israel Rios stated he lives in Old Town Avondale. He thanked the Commission for all the progress being made. He commented that when trying to proceed south on Dysart Road from Western Avenue, traffic piles up all the way from MC85 to Western Avenue. He suggested expanding research on the roundabout to look at Western Avenue and MC85 on Dysart to ensure that whatever is done actually makes the flow better. The whole area could use traffic improvements in general. Ms. Novak stated that a traffic study will take into account all the surrounding roadway systems. The City also has to partner with Union Pacific Railroad because of its right-of-way and tracks located between Western Avenue and MC85.

Walter Gonzalez, Old Town resident, stated that as a member of the post hoc committee, most feedback was that the sign design was not favored. Ms. Novak said she is unfamiliar with the meetings Mr. Gonzalez

may have attended. City staff worked on generic concepts they were considering, but they had not yet been presented to the public for feedback. Chair Iwanski encouraged attendees to continue to submit questions and input to staff.

As there were no additional public comments, Chair Iwanski closed the public hearing and invited a motion.

Commissioner White moved to approve Application PL-20-0056; Commissioner Thompson seconded the motion.

Upon vote, the motion was carried 7 to 0.

David Iwanski, Chair	Aye
Commissioner Thompson, Vice Chair	Aye
Commissioner Meginnis	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Warren	Aye
Commissioner White	Aye

6. ACTION ITEMS

a. DEL RIO RANCH III PHASES 2 THROUGH 5 - PRELIMINARY PLAN AMENDMENT - APPLICATION PL-20-0154

Ken Galica, Division Lead Planner, stated that the application is for Preliminary Plat approval for a 358-lot single family subdivision. Development site details were reviewed as being south of Buckeye Road, west of El Mirage Road. The Agua Fria River is to the west. The Rio Vista single family residential community is to the south. To the east is Del Rio Ranch III Phase I. Diamond Ridge, a single-family residential community, is to the northeast. At the very far northeast corner is Cashion Tank and Steel, a reseller of large scale industrial tanks that features a sizeable unscreened outdoor storage area.

The subject property is approximately 129 acres, part of the overall 444-acre Del Rio Ranch Master Planned Community, which extends east of El Mirage Road to Avondale Boulevard. The property was annexed in 2005 and rezoned for single family residential use. Originally, with the 2005 approval, 496 lots were planned in this area of the property, although the property was smaller and did not include a 30-acre portion subsequently added in 2007 through approval of a Major PAD amendment. In addition to incorporating additional land into the development, the 2007 amendment identified a location for an elementary school site within Del Rio Ranch III for the Littleton Elementary School District and had 493 total lots. In 2017, a Minor PAD Amendment was approved, removing the school site that the district had determined was not needed, and eliminating some of the originally planned residential lots that could no longer be developed due to changes in FEMA policies adjacent to rivers and other floodways. As a result of the 2017 amendment, lots within Del Rio Ranch III were reduced to 491. An additional minor amendment, in early 2021, eliminated the connection of 125th Avenue to Buckeye Road through the project, using that freed up land to create an additional 20 lots. The City was supportive of eliminating that connection due to safety concerns that would result from an intersection so close to the Buckeye Road bridge over the Agua Fria River. A preliminary plat was approved for Del Rio Ranch III in 2017. An

amendment is needed to bring it into conformance with the recent minor PAD Amendment eliminating 125th Avenue and corresponding addition of more residential lots.

The zoning vicinity map was reviewed. Surrounding zoning is primarily PAD; R1-6 is the zoning for the Rio Vista area to the south. The majority of the site is designated by the General Plan as Medium High Density Residential with small portions being designated High Density Residential and Open Space and Parks.

Staff reviewed the plan for 125th Avenue, which runs north/south, connecting Lower Buckeye Road to Durango Street. When 2017 PAD Amendment was approved, it was expected that 125th Avenue would continue north in a curve with a planned connection through the Cashion Tank and Steel property to Buckeye Road. The proposed Preliminary Plat, in accordance with the approved 2021 PAD amendment, eliminates the north connection of 125th Avenue to Buckeye Road. The changes free up a significant amount of land, for which the applicant was able to plat an additional twenty (20) single-family lots accessed by modifications to the local street network. With the connection to Buckeye Road eliminated, access to Del Rio Ranch III will be from two (2) points: Durango Street and 125th Avenue. From those collector streets, both El Mirage Road and Lower Buckeye Road are accessible. There are 358 lots provided within the proposed plat area, not inclusive of the 153 within the Phase I, which are under construction. In the first phase of the new project, Phase 2, there are 132 minimum 5,520 square foot lots; there is no change in the number of these smaller lots than what was previously approved in 2017. Phase 3 features a total of 70 lots with a minimum area of 6,960 square feet. Phases 4 and 5 combined include 156 minimum 6,360 square foot lots.

The project provides for 44.7 percent (57.7 acres) of open space, much being raw, undeveloped space within the river corridor. The 5.3-acre central park within Del Rio Ranch III Phase 1 is already constructed, and includes a covered playground, children's play area, two sand volleyball courts, ramadas with picnic seating and a large turfed area for open play. Within planned Phase 4 is a small northern amenity area, that will provide circuit exercise equipment, a ramada with picnic tables, benches and additional turf for open play. A 40-foot-wide trail corridor will be constructed adjacent to the river (outside of the riverbed itself); the trail corridor will feature a 12-foot-wide lighted and landscaped multiuse trail that, in the future, will connect to adjacent properties to the north and south as part of the City's Agua Fria River trail system. At the southwest corner of the site, a trail access into the riverbed will be provided, allowing residents opportunities for riparian related activities such as bird watching and hiking.

Staff found the proposal to be in conformance with the amended PAD for Del Rio Ranch III, Avondale's Zoning Ordinance, Subdivision Regulations, and the Single-Family Residential Design Manual. Open space and amenities exceed the City's requirements and adequate access is provided from Durango Street and 125th Avenue. Certificates of Adequate School Facilities indicating that both the Littleton Elementary School District and Tolleson Union High School District have capacity for estimated enrollment from the development have been received. Staff recommended approval of the proposal amended Preliminary Plat subject to seven conditions listed in the staff report.

Chair Iwanski asked for an overview of the seven recommended conditions. Mr. Galica listed them as follows:

- The development will need to confirm to the documents included as part of the case (e.g. Preliminary Plat, Landscape & Open Space Plans, etc.).
- The Preliminary Plat will expire in two (2) years if a Final Plat has not been approved.
- Conformance with the City's General Engineering Requirements manual is required.

- Grandfathered irrigation rights associated with the property must be extinguished and pledged to the City's assured water supply account.
- Final landscape plans for the project must be updated to ensure that minimum plant density and spacing requirements, as outlined in the Zoning Ordinance, are achieved.
- Because a looped water system could not be designed within the long cul-du-sac in the northwest corner of the planned development, all homes located along that cul-du-sac will be required to be constructed with fire sprinklers.
- Construction of the trail adjacent to the Agua Fria River will be required to be completed before the 125th permit for homes in Phases 2, 4, and 5 (combined) is issued.

Project representative Carolyn Oberholtzer, Bergin, Frakes, Smalley & Oberholtzer, PLLC, stated that Beazer Homes and Century Communities are both in escrow for all of the lots within this Preliminary Plat.

Commissioner Thompson moved to approve Application PL-20-0054 subject to the seven (7) recommended conditions of approval; Commissioner Warren seconded the motion.

Upon vote, the motion was carried 7 to 0.

David Iwanski, Chair	Aye
Commissioner Thompson, Vice Chair	Aye
Commissioner Meginnis	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Warren	Aye
Commissioner White	Aye

7. PLANNING DIVISION REPORT

Ms. Novak stated that there is no report at this time. More items are pending for the future meetings.

8. CALENDAR

The next meeting is March 17, 2021.

9. ADJOURNMENT

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

Upon vote, the motion was carried 7 to 0.

David Iwanski, Chair	Aye
Commissioner Thompson, Vice Chair	Aye
Commissioner Meginnis	Aye
Commissioner Osborne	Aye
Commissioner Stanfield	Aye
Commissioner Warren	Aye
Commissioner White	Aye

Meeting adjourned at 7:31 p.m.

Chair Signature

Date