

MINUTES OF THE AVONDALE CITY COUNCIL
CITY OF AVONDALE, ARIZONA
ONLINE MEETING
June 21, 2021

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 7:01 p.m. All participants attended by phone or video.

Mayor Kenn Weise led the Pledge of Allegiance, followed by a moment of silent reflection in remembrance of firefighters fighting fires in California, Arizona, Nevada and Washington.

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

Members Absent: Council Member Pat Dennis (Excused Absence)

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

Audience: Thirteen members of the public were present.

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

2. UNSCHEDULED PUBLIC APPEARANCES

None.

3. AVONDALE EDGE VIDEO PRESENTATION)

A video was presented to City Council as part of an Economic Development (Avondale EDGE) video series.

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 6 to 0.

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

a. AMENDED MINUTES

City Council approved an amendment to the March 22, 2021 City Council Meeting Minutes.

b. BUDGET ADJUSTMENT FOR BOND FUNDED CAPITAL PROJECTS

City Council amended the fiscal year 2021 budget for projects partially funded through bond proceeds.

c. RESOLUTION 1048-0621 – INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF PHOENIX FOR RECYCLING SERVICES

City Council adopted Resolution 1048-0621, authorizing an Intergovernmental Agreement with the City of Phoenix for recyclable materials processing services and authorized the Mayor, or City Manager and City Clerk to execute the necessary documents.

d. RESOLUTION 1049-0621 – INTERGOVERNMENTAL AGREEMENT WITH THE CITY OF GLENDALE FOR LANDFILL SERVICES

City Council adopted Resolution 1049-0621, approving an Intergovernmental Agreement with the City of Glendale relating to landfill disposal services and authorized the Mayor, or City Manager and the City Clerk to execute the necessary documents.

e. RESOLUTION 1050-0621 – INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COUNTY HUMAN SERVICES DEPARTMENT FOR SHELTER AND HOMELESS SUPPORT SERVICES

City Council adopted Resolution 1050-0621 and approving the Third Amendment to an intergovernmental agreement with the Maricopa County Human Services Department for a grant in the amount of \$107,500 for the provision of emergency shelter services, outreach, and case management to people experiencing homelessness in Avondale, and authorized the Mayor, City Manager and City Clerk to execute the necessary documents and amendments.

f. RESOLUTION 1051-0621 – AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY

City Council adopted Resolution 1051-0621, approving an Amendment to the Intergovernmental Agreement with the Regional Public Transportation Authority for Fiscal Year 2022 relating to public transportation services, and authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

g. ORDINANCE 2025-0621 – CHAPTER 23 CODE AMENDMENT REGARDING THE STOPPING, STANDING, OR PARKING, SECTION 23-62, PARKING OF TRUCKS AND TRAILERS

City Council adopted Ordinance 2025-0621, amending Chapter 23, Section 23-62 regarding the stopping, standing, or parking of trucks and trailers within the City to include the City Manager's authority to suspend enforcement actions for designated events and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

h. ORDINANCE 2026-0621 – ABANDONMENT OF RIGHT-OF-WAY - 114TH LANE AND THOMAS ROAD

City Council adopted Ordinance 2026-0621, authorizing the abandonment of right-of-way located on 114th Lane south of Thomas Road and authorized the Mayor or City Manager, City Attorney and City Clerk to execute the necessary documents.

i. ORDINANCE 2027-0621 – GRANTING AN ELECTRICAL EASEMENT TO SALT RIVER PROJECT (SRP) ON PALM LANE WEST OF 116TH AVENUE

City Council adopted Ordinance 2027-0621, granting an Electrical Easement to Salt River Project on Palm Lane, West of 116th Avenue and authorized the Mayor or City Manager, and City Clerk to execute the necessary documents.

j. ORDINANCE 2028-0621 – ACQUISITION OF REAL PROPERTY - AVONDALE CIVIC CENTER - AVONDALE BOULEVARD AND CIVIC CENTER DRIVE

City Council (a) adopted Ordinance 2028-0621 authorizing the purchase of real property located east of Avondale Boulevard and south of Civic Center Drive; (b) approved budget authorization not-to-exceed \$2,500,000 to cover the land acquisition and closing costs; (c) approved a budget amendment in the amount of \$2,500,000; and (d) authorized the Mayor or City Manager and City Clerk to execute the necessary documents.

k. FINAL PLAT FOR ALAMAR PHASE 4 - APPLICATION PL-20-0346

City Council approved request by Mr. Frank Koo, Wood, Patel & Associates, for approval of a Final Plat for Alamar Phase 4. In conformance with the Alamar Phase 4 Preliminary Plat approved by City Council in February 2021, the proposed Final Plat will create 464 single-family residential lots, 55 common area tracts, and dedicate streets and easements on approximately 161.02 gross acres located at the southwest corner of the planned El Mirage Road realignment and the planned Alamar Boulevard alignment. The proposed Final Plat does not include 22 lots and 2 common area tracts within the Phase 4 boundary that are located, in whole or in part, within existing El Mirage Road right-of-way; those lots will be created by a future Re-Plat. A Maintenance Improvement District for the entirety of Phase 4 will be brought forward concurrently with the future Re-Plat.

5. REGULAR AGENDA

a. RESOLUTION 1052-0621 - SETTING THE FISCAL YEAR 2022 PRIMARY AND SECONDARY PROPERTY TAX LEVY

City Council considered a request to adopt Resolution 1052-0621, setting the primary and secondary property tax levy for the fiscal year ending June 30, 2022 and authorize the Mayor, City Manager, and City Clerk to execute the necessary documents.

Robert Baer, Budget Manager with the Finance and Budget Department, presented the proposed tax levies for fiscal year 2022. For the primary tax levy, which can be used for general purposes, is in the amount of \$3,290,678 for a total of 66 cents per \$100 of net assessed value. The proposed secondary levy, which is used to repay the debt for general obligation bonds, is in the amount of \$3,724,510 for a total of 75 cents per \$100 net assessed value. The total levy amount is \$7,015,188.

Mayor Weise asked for the levy amount that has been increased since last year. Mr. Baer stated that the primary levy is limited by state statute so the levy can only be raised 2 percent per year, excluding new construction. The secondary levy is based off the amount of general obligation debt. The total rate is approximately the same as last year.

Council Member Kilgore moved to adopt Resolution 1053-0621, setting the Fiscal Year 2022 Primary and Secondary Property Tax Levy; Council Member Conde seconded the motion.

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

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

b. VERDE TRAILS PARCEL 6 – PRELIMINARY PLAT – APPLICATION PL-20-0284

City Council considered a request by Mr. Paul Haas, HILGARTWILSON, LLC, for approval of a Preliminary Plat for Verde Trails Parcel 6, a proposed 110-unit, gated single-family residential subdivision located on approximately 14.45 gross acres at the northwest corner of 107th Avenue and the Wier Avenue alignment. The subject site is part of the 181-acre Verde Trails Unit I master planned community.

Ken Galica, Division Lead Planner with the Development and Engineering Services Department, presented a preliminary plan for a 110 lot cluster subdivision. The property is just under 14.5 gross acres located at the future intersection of 107th Avenue and Weir Avenue in the Verde Trails Master Plan Development. The property was annexed as Verde Trails, at the time known as Hillcrest planned area development, in November 2007 with a major amendment overhauling the PAD approved by Council in May 2018. As part of the May 2018 PAD amendment, parcel 6 was designated for a cluster type of

community with minimum 2,200 square foot lots. The parcel was formally created in February 2019 by the master plat for Verde Trails; however, no individual lots were created at that time. Surrounding property details were reviewed. Verde Trails is currently under construction, with grading, utilities, and streets in various stages of completion. The General Plan land use map designates the property as high density residential, which is 12 to 30 dwelling units per acre. The proposal is under this allowance, at under 12 units per acre. This is acceptable, as the PAD zoning was approved under a previous General Plan and was consistent at that time.

Lot sizes and attributes were reviewed. Resident access will be from the south off the new Weir Avenue collector street. There will be a future traffic signal at 107th Avenue and Broadway Road. The community will be gated with private internal streets. Private alleys will provide access to approximately two and six cluster lots, with the garages located off the alleys. There will be 114 on-street guest parking spaces. The development provides 23 percent open space and various amenities. Landscaping and signage will be consistent with the remainder of Verde Trails. The preliminary plat conforms to the approved Verde Trails PAD. The preliminary plat and landscape plan both meet and exceed zoning ordinance regulations, subdivision regulations, and single-family design manual requirements. Sufficient access is provided with a secondary point of emergency provided onto 107th Avenue. Certificates of adequate school facilities have been received from both the Littleton Elementary School District and the Tolleson Union High School district. Littleton Elementary School District does not currently have adequate capacity; however, a donation agreement is in place with the developer. The Planning Commission recommended approval on May 19th, 2021. Staff recommends approval, subject to four recommended conditions.

In response to a question from Council Member Nielson, Mr. Galica identified the garage locations and access points. The homes will be two to three stories high with ample room to turn into the garages.

Mayor Weise stated the product is similar to a development Council had toured in the past, noting the distance for vehicles to backout and pull into the garages.

Council Members Pineda and Kilgore thanked staff for the presentation and did not have any additional questions.

Council Member Conde asked if there is a similar product in the West Valley. Mr. Galica explained the Parkside Project at 99th and Indian School will have similar components, as will a future phase of Alamar. Mr. Montoya stated that the closest example would be located near Verrado. Council Member Pineda added that another example would be in Palm Valley. Vice Mayor Malone cited another example at Dysart Road south of Buckeye Road. Mr. Galica concurred, noting that location is the Villages at Tres Rios.

Vice Mayor Malone expressed excitement for the project and thanked staff for adding the traffic signal at 107th Avenue and Broadway Road.

Vice Mayor Malone moved to approve Application PL-20-0284 Verde Trails Parcel 6 Preliminary Plat subject to four (4) recommended conditions; Council Member Nielson seconded the motion.

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

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

c. PUBLIC HEARING - EXTRA SPACE STORAGE - CONDITIONAL USE PERMIT - APPLICATION PL-21-0003

City Council held a public hearing and considered a request by Paul Hedges (on behalf of Extra Space Storage), for approval of a Conditional Use Permit (CUP) to allow for the operation of one (1) mini-storage personal warehouse use. The 2.28-acre subject property is located at the southwest corner of Indian School Road and Osborn Road.

Brian Craig, Planning Manager with Development and Engineering Services, provided a history of the parcel and gave details regarding the surrounding parcel usage. Much of the surrounding area is zoned Palm Valley PAD. North of the site is zoned Litchfield Park jurisdiction. Within the C-2 Community Commercial district, mini-storage warehouse and personal storage uses require Council approval of a conditional use permit. A replat is required to combine the lot and a half with future development prior to completion of construction on the lot. Development design details were reviewed. The proposed building is two stories, just under 110,000 square feet with a 900 square-foot office component. Hours of operation for the office are planned to be 9:30 a.m. to 6 p.m., Monday through Friday with Saturday hours from 9:30 a.m. to 5:30 p.m.

Internal access is available through the internal secured gate from 6 a.m. to 10 p.m., seven days per week. The entire building is enclosed with climate control and no visible exterior access. Parking facilities were reviewed. Storage facilities are low traffic-generating and as such, no additional improvements are required to the adjacent street network. Staff finds that the development is compatible with the local commercial General Plan designation as well as the Palm Valley PAD. It is compatible with the commercial industrial design manuals. The site is adequately served by streets and utilities. The design has been reviewed by the City's traffic engineer and other civil engineers on staff and has been deemed safe and meets all City requirements.

A neighborhood meeting was held on April 20, 2021 with four attendees. Broad discussion areas included the zoning allowance and the proposed architectural design, traffic impacts, and the competitive need for the use of the proposed location. Since the neighborhood meeting, the Applicant provided analysis of competition within a three-mile

radius. There are four additional storage uses, all currently over 95 percent occupied. This will be a one of a kind enclosed climate-controlled facility. All required notifications were completed for the neighborhood meeting, Planning Commission and City Council meetings. Two comments were posted on aVOICE, both in support. The Planning Commission approved the item with a vote of 3 to 2. Although a majority present and voting were in favor of the recommendation, it must be forwarded as a recommendation for denial. City Code requires a minimum of four affirmative votes to secure a recommendation for approval to City Council. Staff recommends approval.

Mr. Montoya noted that based on Council Member Dennis' recommendation, there is a stipulation to ensure that the color scheme blends in with the general area. As Council Member Dennis was not present, Mayor Weise made the stipulation on her behalf.

Mayor Weise opened the public hearing and did not receive any requests to speak. Mayor Weise closed the public hearing and opened the floor for comments from Council.

Council Member Nielson asked about accommodation for large trucks. Mr. Craig stated that many, but not all trucks will be able to fit underneath the overhead. Some will park farther out and extend their ramps.

Council Member Kilgore thanked staff for the presentation and stated he liked the project as it looks nice. He thanked Council Member Nielson for the question as he had the same questions.

Council Member Pineda acknowledged that the storage businesses are needed in the City; however, having a two-story structure is new for the City. Initially, he did not think the proposed location was appropriate but recognized the fact the City needs products like this. He acknowledged the recommended denial from the Planning Commission was due to technicalities and not necessarily because the Planning Commission did not want the project to move forward.

In response to a question from Council Member Conde, Mr. Craig stated that the business accommodates internal storage only, with no RV or vehicle storage. Council Member Conde expressed loading concerns based on the configuration.

Mayor Weise asked about the scale of distance from the security gate to the shared access drive. Mr. Craig stated that the drive aisle itself is approximately 28 feet. Parking should be an additional 20-foot stall. The stacking area is approximately 150 feet long.

Mayor Weise noted that upon first consideration, he questioned the location of the site as well as the impact on the community, which is the City of Litchfield Park. Based on the amount of traffic, the development fits with the neighborhood. There will be no traffic after 10 p.m. and minimal traffic during the day. As such, he is in favor of the development.

Vice Mayor Malone moved to approve Application PL-21-0003, a request for approval of a Conditional Use Permit to allow for the operation of Extra Space Storage mini-storage

facility at the southwest corner of Indian School Road and Osborn Road, subject to four (4) conditions and a fifth (5th) stipulation to direct staff to work with the developer on appropriate color schemes; Council Member Conde seconded the motion.

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

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

d. PUBLIC HEARING - RESOLUTION 1053-0621- CERRO VISTA - MINOR GENERAL PLAN AMENDMENT - APPLICATION PL-18-0079

City Council was to hold a public hearing and consider a request to adopt Resolution 1053-0621, approving a request by Virtua Avondale Eleven Owner, LLC, for a Minor Amendment to the Avondale General Plan 2030 Land Use Map for Cerro Vista, a proposed high-density multi-family residential development with 249 units on 11.51 gross acres located approximately 500 feet east of the northeast corner of Fairway Drive and Van Buren Street. The request is to amend the General Plan Land Use Map from Urban Residential (30+ dwelling units per acre) to High Density Residential (12 to 30 dwelling units per acre). City Council will consider a concurrent request to rezone the property from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4). The item was continued at the request of the applicant.

Council Member Nielson moved to continue agenda item 5d – Resolution 1053-0621- Cerro Vista – Minor General Plan Amendment – Application PL-18-0079 to the August 23, 2021 City Council Meeting; Council Member Pineda seconded the motion.

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

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

e. PUBLIC HEARING - ORDINANCE 2029-0621 - CERRO VISTA - REZONING FROM AGRICULTURAL (AG) AND COMMUNITY COMMERCIAL (C-2) TO MULTI-FAMILY RESIDENTIAL (R-4) - APPLICATION PL-18-0080

City Council was to hold a public hearing and consider a request to adopt Ordinance 2029-0621 approving a request by Virtua Avondale Eleven Owner, LLC, to rezone 11.51 acres of land located approximately 500 feet east of the northeast corner of Fairway Drive and Van Buren Street from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4). City Council will consider a concurrent request to amend the General Plan Land Use Map from Urban Residential (30+ dwelling units per acre) to High

Density Residential (12 to 30 dwelling units per acre). These requests will allow for the development of the subject property with a 249-unit multi-family residential development at a density of approximately 23.94 dwelling units per acre. The item was continued at the request of the applicant.

Vice Mayor Malone moved to continue agenda item 5e – Ordinance 2029-0621-Cerro Vista – Rezoning from Agricultural (AG) and Community Commercial (C-2) to Multi-Family Residential (R-4) – Application PL-18-0080 to the August 23, 2021 City Council Meeting; Council Member Conde seconded the motion.

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

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

6. ADJOURNMENT

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

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

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

Meeting adjourned at 7:54 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 21st day of June 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