
**Wednesday, March 15, 2023
6:00 pm**

1. WELCOME AND CALL TO ORDER

Vice Chair White called the Planning Commission meeting to order at 6:00 p.m.

2. ROLL CALL

The following members and representatives were present.

COMMISSIONERS PRESENT IN PERSON/PHONE/VIDEO

Vice Chair Larry White

Commissioner Lisa Osborne

Commissioner Alisha Meginnis

Commissioner Denise Stanfield

Commissioner Alan Agundez-Castillo

Alternate Julia Arnette

COMMISSIONER EXCUSED ABSENT

Chair Christopher Thompson

Commissioner Linda Warren

CITY STAFF PRESENT

Jodie Novak, Director of Development Services

Catherine Lorbeer, Deputy Director of Planning

Dorothy Williams, Senior Management Analyst

Barbara Cason, Administrative Assistant

Steven Kemp, City Attorney

Rick Carr, CIP Division Manager

Ann Dolmage, Senior Planner

3. OPENING STATEMENT AND INSTRUCTIONS

Vice Chair White read the opening statement.

4. APPROVAL OF MINUTES

Vice Chair White called for a motion on the February 15, 2023 meeting minutes. Commissioner Osborne moved to approve the minutes as written; Commissioner Stanfield seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

5. **PUBLIC HEARING ITEMS:**

a. **ANGELINA LUXURY LIVING - MINOR GENERAL PLAN AMENDMENT - APPLICATION PL-22-0084**

Vice Chair White noted that Items 5a and 5b would be presented together, however each requires a separate motion.

Ms. Dolmage stated that the purpose of the presentation is to review a proposed Minor General Plan Amendment and rezone for the Angelina Luxury Living Planned Area Development (PAD), which will consist of the development of 130 new townhomes. Separate public hearings and action will be taken on each item.

The project site is located south of the southwest corner of Indian School Road and Dysart Road. It consists of approximately 8.4 net acres, occupying portions of two existing parcels. One is owned by Trinity Lutheran Church and a smaller parcel is owned by First Baptist Church. The existing and proposed parcel layouts were reviewed. The project site will occupy the eastern portion of the Trinity Lutheran Church site as well as a southern piece of the First Baptist Church site. Should these requests be approved, the applicant will be filing for a replat to reconfigure the lots. Photographs of the currently vacant project site were reviewed.

The existing General Plan land use designation is a combination of Local Commercial and Medium Density Residential. The Medium Density Residential designation allows residential uses of 2.5 to 4 dwelling units per acre. The project proposes to change the land use designation of the site to High Density Residential, which will allow 12-30 units per acre, though the proposed townhome development will have approximately 15.5 units per acre. The General Plan amendment proposal will facilitate the development of the site with 130 rental townhomes. This furthers goals in the General Plan to attract a diverse range of residential products in the City. The High Density Residential use will buffer the single-family neighborhood, Dysart Ranch, to the south, from commercial area along Indian School and the developer will be required to construct infrastructure and necessary improvements, including paying its share toward traffic signal installation at the Dysart entrance.

The Application proposes to rezone the site from Palm Valley PAD to Angelina Luxury Living PAD, with underlying R-4 zoning. The Palm Valley PAD allows for residential uses on this site of 6 to 12 dwelling units per acre. Development amenities include a dog park, tot lot, clubhouse and pool. Primary access to the site will be from a gated entrance on Dysart Road with a secondary exit-only access on Plaza Circle at the north end of the site. Elevations were reviewed, with the project incorporating a southwest theme and neutral colors. The residential buildings will contain five, six or eight units. Most units will be two stories with garages. There will be 14 single story units at the south end of the site.

For the most part, the PAD will use R-4 development standards, however the following deviations are requested:

- Reduced setbacks along north and west (15 feet to 10 feet)
- Two-story buildings will maintain a 70-foot buffer along south property line instead of 75
- Some units will not have 100 square feet of private open space, but the average private open space will exceed 100 square feet
- Five units will each have one garage space instead of two

- One EV charger available per garage as a paid option

The proposed rezone is in conformance with the requested General Plan land use designation as well as the Multi-Family Residential Design Manual and the R-4 development standards, except for the requested deviations. The development will result in compatible land use relationships, as it provides a transition between commercial properties to the north and single-family neighborhood to south. It is compatible with the Ascend mixed-use project to be located at the southeast corner of Indian School and Dysart, which will consist of apartments, townhomes and commercial areas. Adequate infrastructure exists or will be constructed. The developer will pay a share of a new traffic signal at the Dysart entrance. The entrance will align with Ascend's entrance across the street.

The project site is within the Litchfield Elementary School District and Agua Fria Union High School District. Both districts have indicated sufficient capacity to accommodate the project's enrollment. Agua Fria has requested a developer agreement and the applicant has reached out to the district to assess their needs. A neighborhood meeting was held on December 13, 2022 with 21 attendees. Discussion topics included the quality of units and amenities, landscaping, traffic and street improvements and other commercial/residential developments in the area. Staff received two phone calls. One was opposed to the project for reasons of density and noise. A second call was received today, with the caller expressing concerns regarding dust during construction, water use and construction noise. In addition, they were concerned about the possibility that residents of the townhomes would be able to look into backyards of single-family residences to the south. There were three anonymous comments on Avondale Connect platforms; two were in favor and one opposed.

Staff proposes an amendment to Condition of Approval No. 2. The new wording will be: *"Prior to the issuance of any construction permits for Angelina Luxury Living, a re-plat shall be approved and recorded to separate the townhome development from the existing Trinity Lutheran Church and Litchfield Park First Baptist Church parcels."* The original wording did not mention the First Baptist Church. Staff recommends approval of Application PL-22-0084, subject to seven conditions of approval.

Staff recommends approval of Application PL-22-0085, a request for a minor amendment to the General Plan 2030 Land Use Map, changing the designation of the subject property from Medium Density Residential and Local Commercial to High Density Residential.

Commissioner Osborne asked for clarification on the setback from 15 feet to 10 feet. Ms. Dolmage stated that it was necessary to achieve the desired density. The setback for the gated entrance is approximately 40 feet from the front property line, with the minimum being 25 feet. She did not immediately have data on the specific setback for the gate itself. At the south property line, the setback is 15 feet. Two-story buildings are required to maintain a buffer of 75 feet and they are requesting to be allowed 70 feet.

Commissioner Osborne inquired about the number of parking spaces provided per unit. Ms. Dolmage stated that she did not immediately have this information.

Commissioner Osborne asked about the contribution amount from the developer for the traffic light installation. Ms. Dolmage stated her belief that the amount is \$105,000, however she can check the staff report for confirmation.

Vice Chair White opened the hearing for public comment.

Applicant Taylor Earl from the Law Firm of Earl and Curley commented that the PAD is significantly underbuilt from the granted entitlements. As a whole, over the entire PAD hundreds of units were left undeveloped. The development is a hybrid product, functioning much like a single product with its own garage and backyard space. It provides a buffer between traditional single family residential and the proposed commercial property

to the north as well as adjacent commercial properties. The justification for the setback on the north is that it is against the church property. The same factors apply to the west. On the south, the average distance between two-story homes is approximately 50 feet. The development is providing 70 feet until it reaches the first two-story unit. If it was a single family residential development, they would have the ability to put two-story units at 15 feet from the property line. There is also a thick landscape buffer on the south side. The units have been oriented east and west. Only one window will face south. The development is providing parking spaces in excess of the required number.

Commissioner Osborne, asked about accommodation for guest parking. Mr. Earl noted that guest spaces are located throughout the development, in excess of the requirement.

Vice Chair White noted that the EV chargers are option for residents. He asked whether the infrastructure exists to accommodate this option whether or not a tenant chooses it. Mr. Earl clarified that the wiring will be included. The infrastructure can be added as requested.

Vice Chair White asked about a deceleration planned for southbound traffic. Mr. Earl acknowledged that they have not gotten that far with the Streets Department on this question. Mike Stephan, Porter Kyle, added that the intersection is being controlled by traffic and there is a master plan for which the applicant will contribute \$105,000.

With no other public comments, the public hearing closed.

Vice Chair White called for a motion.

Commissioner Osborne moved to recommend approval of application PL-22-0084, subject to seven conditions of approval, including the correction to Condition No. 2. Commissioner Stanfield seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

b. ANGELINA LUXURY LIVING - REZONE - APPLICATION PL-22-0085

Vice Chair White called for a motion.

Commissioner Alan Agundez-Castillo motioned to approve Application PL-22-0084; Commissioner Osborne seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

c. CITY-INITIATED REZONES FOR CITY-OWNED PROPERTIES - APPLICATIONS PL-22-0307, PL-22-0315, PL-22-0316, PL-22-0317, PL-22-0318, PL-22-0340, AND PL-22-0358

Catherine Lorbeer, Deputy Director of Planning, addressed seven City-owned properties with existing zoning in various districts, such Urban Residential, General Industrial and Agriculture. The proposed rezoning is to Planned Area Development to allow for specific and planned public uses.

A brief overview was provided for each site:

- Fire Station #175: Located west of the southwest corner of Van Buren Street and Fairway Drive; consists of 2.98 acres and zoned urban residential; opened in 2022.
- Aquatic Center: 22 acres; planned opening in December 2023
- Civic Center Sites: All zoned agricultural
 - Civic Center, City Hall, Court, Police Station: Opened in 2003
 - Civic Center Library
 - Civic Center Park: Planned opening in 2024
- Resource Center: Located at the southwest corner of Riley Drive and Eliseo Felix Way; Zoned General Industrial
- Police Detention Center and Substation; Located at the Southwest Corner of Riley Drive and Eliseo Felix Way; Zoned General Industrial; Planning opening in 2025

This proposal to rezone the properties to Planned Area Development will bring the sites into conformance with their existing or planned public uses. It furthers several General Plan policies and goals, including:

- Recreational Amenities Goal 1: Ensure every person has access to safe public parks and affordable recreation opportunities
- Recreational Amenities Goal 2: Maintain and improve high quality parks and recreational facilities to meet the diverse needs of all community residents
- Economic Vitality Goal 1, Policy D: Optimize the use of City resources in the long term

A neighborhood meeting was held on February 23, 2023 via Zoom. No members of the public attended, however, two Councilmembers were present. There was a question as to inclusion of Fire Station #171 on Western Avenue and it was noted it was not being included at this time. Another question referenced funding for the Civic Center Park. Staff responded that it is budgeted for design with funding anticipated in Fiscal Year 2024. There were no other comments from the public.

Vice Chair White invited Commissioner questions.

In response to a question from Commissioner Osborne, Rick Carr, CIP Division Manager, stated that the police detention and substation will be a permanent facility at the location for temporary holding. Commissioner Osborne asked if the substation will continue to rent out space to neighboring areas with detention facilities. Mr. Carr stated that he would have to refer the question to the police department.

Vice Chair White opened the public hearing on this item. There were no requests to speak on this item. Vice Chair White closed the public hearing and invited motions.

Commissioner Osborne moved to approve Application PL-22-0307 subject to one condition; Commissioner Meginnis seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye

Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Commissioner Osborne motioned to approve Application PL-22-0315 subject to one condition; Commissioner Meginnis seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Commissioner Osborne motioned to approve Application PL-22-0316 subject to one condition; Commissioner Meginnis seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Commissioner Meginnis motioned to approve Application PL-22-0317 subject to one condition; Commissioner Osborne seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Commissioner Meginnis motioned to approve Application PL-22-0318 subject to one condition; Commissioner Osborne seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye

Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Commissioner Meginnis motioned to approve Application PL-22-0340 subject to one condition; Commissioner Osborne seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Commissioner Osborne motioned to approve Application PL-22-0358 subject to one condition; Commissioner Meginnis seconded the motion.

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye
Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

6. COMMISSION ANNOUNCEMENTS

There were no announcements.

7. PLANNING DIVISION REPORT

Jodie Novak, speaking on behalf of Catherine Lorbeer, stated that there are other projects which in process for review and staff will be in touch with Commissioners if there are items scheduled for next month.

8. CALENDAR

The next meeting will be April 19, 2023.

9. ADJOURNMENT

There was no further business; Commissioner White called for a motion to adjourn.

Commissioner Osborne motioned to adjourn; seconded by Commissioner Meginnis.

Roll Call Vote:

Chair Christopher Thompson	N/A
Vice Chair Larry White	Aye

Commissioner Lisa Osborne	Aye
Commissioner Alisha Meginnis	Aye
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alan Agundez-Castillo	Aye

Upon vote, the motion passed 5 to 0.

Meeting adjourned at 6:44 p.m.


Chair Christopher Thompson

19 APR 2023
Date