

**Wednesday, April 19, 2023
6:00 pm**

1. WELCOME AND CALL TO ORDER

The Chair Thompson called the meeting to order at 6:00 p.m.

2. ROLL CALL

The following members and representatives were present.

COMMISSIONERS PRESENT IN PERSON / PHONE/ VIDEO

Chair Christopher Thompson
Vice Chair Larry White
Commissioner Denise Stanfield
Commissioner Linda Warren
Alternate Julia Arnette

COMMISSIONERS EXCUSED ABSENT

Commissioner Lisa Osborne
Commissioner Alisha Meginnis
Commissioner Alan Agundez-Castillo

CITY STAFF PRESENT

Jodie Novak, Development Services Director
Catherine Lorbeer, Deputy Director of Planning
Dorothy Williams, Senior Management Analyst
Arrianna Ramirez, Administrative Assistant
Stephen Kemp, Attorney
Michelle Simerdla, Senior Planner
Barbara Cason, Administrative Assistant

3. OPENING STATEMENT AND INSTRUCTIONS

Chair Thompson read the opening statement

4. APPROVAL OF MINUTES

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

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

Upon vote, the motion passed 4 to 0

5. PUBLIC HEARING: Discussion Items

a. FRANCIS AND SON'S EXPRESS CAR WASH – CONDITIONAL USE PERMIT – APPLICATION PL-21-0330

Catherine Lorbeer, AICP, Deputy Director of Planning, stated the purpose of this presentation is to consider approval of a Conditional Use Permit (CUP) that would allow a full-service car wash in the Palm Valley Planned Area Development (PAD).

The 3.72 acres project site is located at the southwest corner of Indian School Road and Dysart Roads. It consists of three vacant lots. Indian School Road and single-family housing in the City of Litchfield Park is located to the north, the proposed Angelina Living Townhomes is located to the south, the approved Ascend commercial, townhouse, and apartment developments on Dysart Road are to the east, and Trinity Lutheran Church and First Baptist Church, along with single-family homes are to the west. Access to the site is from Indian School Road and Dysart Road with an interconnecting roadway called Plaza Circle with transitions and buffers on all four sides, and it maintains the existing drainage channel.

The General Plan (GP) designates the property as local commercial intended to provide for the daily needs for goods and services to area residents. The zoning designation is Palm Valley PAD which includes C2 community commercial uses. The site plan shows the car wash in Phase I; the other two pads will be part of Phase II. The building is designed to minimize the elongated appearance and the project must meet all standards of the city commercial design manual. The proposed car wash will be open daily from 6:00 a.m. to 9:00 p.m. and contain automated pay stations, a conveyor style washing tunnel that last approximately five minutes, self-vacuuming, and cleaning areas with shade canopies.

The CUP project must meet the five findings to be consistent with the GP 2030 and the North Avondale Specific Plan, compatible with existing uses, suitable size to accommodate the car wash use and meet all required development standards, adequate access to public streets and have the capacity to accommodate the traffic generated, and have adequate conditions in place to mitigate any adverse effects. Required notifications were met with a neighborhood meeting via Zoom on September 29, 2022. Comments raised were about potential noise, proximity to homes, Yelp rating, and another car wash within one mile. The applicant stated they will be using the latest in noise reduction technology. Sound walls are included in the site plan to attenuate any noise at the north and south entrances. Based on Google ratings the market supports the need for another car wash. A resident of Litchfield Park inquired about site drainage and was advised the existing drainage channel would remain in place with drainage flowing from the north. Another resident expressed concerns about increased traffic due to all the new uses, type of car wash, and crime.

Staff recommends approval of Application PL-21-0330, Francis and Sons Car Wash, for a Conditional Use Permit to allow a full-service car wash in the Palm Valley Planned Area Development, subject to the six conditions of approval.

Commissioners were given an opportunity to ask questions. Ms. Lorbeer explained there are no direct entrances into the car wash site, as it is designed to use the existing shared driveways. The additional pads in Phase II are planned to be a quick service restaurant and retail. She clarified that Yelp is a platform used to look up places to eat, businesses and activities. Users provide ratings of the businesses. It is her understanding there is still a market for another car wash.

There were no public comments.

Chair Thompson called for a motion.

Commissioner Warren moved to recommend the approval of Application PL-21-0330 Francis and Sons Car Wash, for a Conditional Use Permit to allow a full-service car wash in the Palm Valley Planned Area Development, subject to the six conditions of approval; Vice Chair White seconded the motion.

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

Upon vote, the motion passed 4 to 0

- b. **LIV COMMUNITIES AVONDALE - MINOR GENERAL PLAN AMENDMENT - APPLICATION PL-22-0049**
- c. **LIV COMMUNITIES AVONDALE - REZONE FROM PARKSIDE VILLAGE PLANNED AREA DEVELOPMENT (PAD) TO LIV COMMUNITIES AVONDALE PAD – APPLICATION PL-22-0054**

Michelle Simerdla, Senior Planner, stated the purpose of this presentation is to review a proposed Minor General Plan Amendment and Rezone for LIV Communities Avondale. The property is a vacant 17.92-acre lot located at the southwest corner of 99th Avenue and Indian School Road that was annexed in 1981. To the north are commercial and residential developments in the City of Phoenix, and vacant land used for farming is located to the east of 99th Avenue, also in the City of Phoenix. Single-family homes currently under construction zoned Parkside Village PAD are located to the south and west.

The purpose of the Minor General Plan Amendment is to amend the land use designation for 14.62 acres from Mixed Use to High Density Residential and 3.29 acres from Mixed Use to Local Commercial. The second request is to rezone the site from Parkside PAD to LIV PAD with R-4 and C-2 zoning to allow for apartments with 333 dwelling units and future commercial uses.

The PAD will utilize the R-4 multi-family residential development standards with the following deviations:

- Reduction in garage parking. The project will exceed the City's covered parking space requirement by 71 spaces instead, meeting the intent of the City's covered parking requirements.
- Reduction in private open space - The project provides balconies that range from 74-88 square feet instead, meeting the intent of the City's balcony requirement of a minimum of 80 square feet.
- Reduction in landscaping – The applicant's narrative says the reduction is to allow healthy root growth and proper spacing.
- Adding greater separation between principal entrances/exits of 3-story buildings.

The site plan has a main entrance on Indian School Road and a secondary entrance on Parkside Boulevard for the multi-family entry. Nine three-story multi-family buildings with different color stucco and masonry block are proposed along with a central pool, clubhouse, dog park, fitness center, shaded play structure, splash pad, detached garages along the south end, covered parking areas with an X over them, a 6-foot CMU block wall along the south boundary, and view fencing along the other boundaries of the multi-family portion. No plans have been submitted yet for the commercial portion. Access to the future commercial pad will be from Indian School Road and 99th Avenue.

The proposed development is compatible with and complementary to existing uses, there is a minor percentage of land in Avondale that is designated as High Density Residential and this will allow for more housing options in Avondale, this project does not significantly alter land use patterns since the existing Mixed Use General Plan designation and Mixed Use component in the existing PAD already allow for a mix of uses, meets C-2 and R-4 standards with requested deviations, GPA and Rezoning meet all required findings as listed in the staff report, it is consistent with housing and commercial goals in the General Plan.

The site is within the Pendergast Elementary School District and Tolleson Union High School District. Both schools indicated there is adequate capacity for this project.

A neighborhood meeting was held on May 26, 2022, on Zoom, with two attendees who discussed traffic and apartment management. No additional comments were received.

For Item 5B, Staff recommends approval of Application PL-22-0049 LIV Communities-Avondale for a Minor Amendment to the General Plan 2030 Land Use Map changing the land use designation from Mixed Use to Local Commercial and High Density Residential and for item 5C Application PL-22-0054 LIV Communities-Avondale to rezone an approximately 17.92-acre site from Parkside PAD to LIV Communities PAD, subject to the eight conditions of approval as listed in the staff report.

Commissioners were given an opportunity to ask questions on landscaping and the traffic study. Brian Greathouse, Applicant, explained a landscape deviation has been requested as they are unable to plant on the north side due to an open irrigation system. The traffic study did not consider new buildings on the east side of 99th Avenue as they were unaware of any plans for development there. The deceleration lane on Indian School Road and a lane for left turns into the project for westbound traffic were evaluated by the traffic study, which has been approved by the cities and other agencies.

There were no public comments.

Chair Thompson called for a motion.

Vice Chair White motioned to approve Application PL-22-0049 LIV Communities-Avondale for a Minor Amendment to the General Plan 2030 Land Use Map changing the land use designation from Mixed Use to Local Commercial and High Density Residential; Commissioner Stanfield seconded the motion.

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

Upon vote, the motion passed 4 to 0

Vice-Chair White moved to approve Application PL-22-0054 LIV Communities - Avondale and rezone an approximately 17.92-acre site from Parkside PAD to LIV Communities PAD, subject to the eight conditions of approval as listed in the staff report Commissioner Stanfield seconded the motion.

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

Upon vote, the motion passed 4 to 0

d. ZONING TEXT AMENDMENT – REVISE CONDITIONAL USE PERMIT SECTIONS 28-8 AND 28- 91(F) – APPLICATION PL-23-0070

Catherine Lorbeer, AICP, Deputy Director of Planning, presented a staff-initiated request for text amendments to the Zoning Ordinance. This request is to streamline the process for CUP review and approval and would make the city process clear and effective. The community benefit from this amendment is the elimination of an additional review and approval time.

The request is to revise Section 28-8 where CUPs come to the Planning Commission for recommendation to City Council for final approval. The revision would allow CUPs to be reviewed and acted on by the Planning Commission, add text to retain jurisdiction over CUPs after approval, clarify revocation processes, and add a process for appeals to City Council. Basically, the proposed change will have CUPs be reviewed and acted upon by the Planning Commission unless they are appealed to City Council. Section 28-91(f) would need to be modified for The BLVD zoning district to make it compatible with changes to Section 28-8.

All required notifications were completed as it was posted on the digital platform Avondale Connect. To date no comments or questions have been received. Staff recommends the approval of Application PL-23-0070 to amend text in the City of Avondale Zoning Ordinance.

There were no public comments.

Commissioners were given an opportunity to ask questions. Ms. Lorbeer clarified that by eliminating the need for CUPs to go to City Council, there would no longer be a need for two steps, streamlining the process with just one step. The Commission's decision, whether approved or denied, would be final unless the applicant chose to appeal the decision.

Chair Thompson called for a motion.

Commissioner Warren moved to approve Application PL-23-0070 for text amendments to the City of Avondale Zoning Ordinance, for the reasons listed in the staff report; Vice Chair White seconded the motion.

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

Upon vote, the motion passed 4 to 0

6. DISCUSSION ITEMS:

a. CITY COUNCIL CHAMBER AUDIO AND VIDEO CHANGES

Marcella Carrillo, City Clerk, provided an update on the audio and video changes made in Council chambers. On March 18, 2020, Mayor Weise declared a State of Emergency due to the COVID -19 Pandemic to allow all board and commission members to attend meetings remotely and the meetings were livestreamed for public viewing. Remote attendance and streaming of meetings continued until January 2022, when the doors reopened for the public to attend board and commission meetings in person. In April 2023 a new audio and visual recording system has been implemented with permanent cameras to livestream all board and commission meetings on Channel 11, YouTube, Facebook, and the City website. An example of newly implemented livestream was shown to the commission.

Audience chairs will be modified to provide notice that the meeting is online, and they may be on camera. The video will contain links to place bookmarks and allow the viewer to move through the recording. Open Meeting Laws must

still be abided by, including appropriate attire and language. Board Members and Commissioners should be mindful of passing notes, whispering to fellow members, use of cell phones, four plus members talking in a group prior to the meeting starting, and offensive language. The Planning Commission meeting in May will be streamed online.

Ms. Carrillo also provided training on the new digital voting system currently used by City Council, which eliminates the need for roll call votes, waiting for a motion and second. The full motion will be shown on the screen. Should a system error occur, votes can be recorded manually later. Commissioners can abstain, but abstentions are recorded as yes votes.

Commissioners were given an opportunity to ask questions. Ms. Carrillo stated the cameras will turn on at the start of the meetings and turned off upon adjournment. The cameras remain as set and will not zoom in on speakers.

7. COMMISSION ANNOUNCEMENTS

No Commission announcements were made.

8. PLANNING DIVISION REPORT

Catherine Lorbeer, AICP, Deputy Director of Planning, stated they are updating the General Plan. A work session is tentatively planned to be held in July after the regular meeting to allow a more open dialogue on progress. The May meeting currently has three agenda items.

9. CALENDAR

The next meeting will be May 17, 2023.

10. ADJOURNMENT

There was no further business; Chair Thompson called for a motion to adjourn.

Vice Chair White motioned to adjourn; seconded by Commissioner Warren

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

Upon vote, the motion passed 4 to 0

Meeting adjourned at 6:48 p.m.



Chair, Christopher Thompson

17 May 2023

Date