
Wednesday, May 17, 2023
6:00 pm

1. **WELCOME AND CALL TO ORDER**

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 Lisa Osborne

Commissioner Alisha Meginnis

Commissioner Alan Agundez Castillo

COMMISSIONERS EXCUSED ABSENT

Commissioner Denise Stanfield

Commissioner Linda Warren

Alternate Julia Arnette

CITY STAFF PRESENT

Jodie Novak, Development Services Director

Catherine Lorbeer, Deputy Director of Planning

Arrianna Ramirez, Administrative Assistant

Stephen Kemp, Attorney

Michelle Simerdla, Senior Planner

Citlaly Salas, City Clerk Specialist

3. **OPENING STATEMENT AND INSTRUCTIONS**

Chair Thompson read the opening statement

4. **APPROVAL OF MINUTES**

Chair Thompson called for a motion on the April 19, 2023, meeting minutes. Commissioner Osborne moved to approve the minutes as written; Vice -Chair White seconded the motion

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

Commissioner Alan Agundez - Castillo
Alternate Julie Arnette

Aye
N/A

Upon vote, the motion passed 5 to 0

5. PUBLIC HEARING: Discussion Items

a. Cobblestone Drive-Through Coffee Shop – Conditional Use Permit - APPLICATION PL-22-0005

Catherine Lorbeer, AICP, Deputy Director of Planning, stated the purpose of this presentation is to consider approval for a Conditional Use Permit (CUP) that would allow a coffee shop with a drive-through in the Interstate Commerce Center Planned Area Development (PAD).

The half-acre vacant site is located north of the northwest corner of Van Buren Street and 99th Avenue. Burger King Restaurant and 99th Avenue Business Center are located to the north, the City of Tolleson fast food construction is located to the east, 99th Avenue Business Park is located to the west, and the Cobblestone Auto Spa Car Wash is located to the south. Access to the site is shared with existing driveways with an exit at the south end onto Van Buren Street. The 19-car queuing lanes are located away from the arterial street and will not cause backlog. The site plan includes three parking spaces and two bike spaces; 38% of the site is landscaped with 30 feet of landscape buffer near 99th Avenue.

The General Plan (GP) designates the property as local commercial intended to provide for the daily goods and services needs of area residents. The zoning designation is Interstate Commerce Center PAD and a drive through is listed as a conditional use. The site would accommodate an 850 square foot building with a 200 square foot outdoor patio and two pickup windows. The anticipated hours of operation will be from 6:00 a.m. to 11:00 p.m. daily.

The CUP Project must meet five findings to be consistent with the GP 2030 and Freeway Corridor Specific Plan; compatible with existing land uses, suitable size to accommodate and meet all required development standards, adequate access to public streets and capacity to accommodate traffic generated by proposed use, and adequate conditions in place to mitigate any potential adverse effects.

Required notifications were met with a neighborhood meeting held last year via Zoom. There were no attendees and no comments have been received through Avondale Connect, phone calls, or emails.

Staff recommends approval of PL-22-0005, Cobblestone Drive-Through Coffee Shop for a CUP to allow a drive-through coffee shop in the Interstate Commerce Center PAD, subject to four conditions of approval.

Jesse Macias M3 Designs, the applicant stated they are very excited about Gravity Coffee in the West Valley. Cobblestone is already under construction. Gravity Coffee will be presenting to the Planning Commission soon.

There were no questions from the Commission.

There were no public comments.

Chair Thompson called for a motion.

Vice Chair White moved to approve Application PL-22-0005 for Cobblestone Drive-Through Coffee Shop – Conditional Use Permit; Commissioner Osborne seconded the motion.

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

Upon roll call vote, the motion passed 5 to 0

b. Zoning Ordinance Text Amendment – Article 13 Medical Marijuana Dispensary and Marijuana Establishment Hours of Operation – PL-23-0017

Michelle Simerdla, Senior Planner, stated the purpose of this presentation is to review the proposed Zoning Ordinance Text Amendment to extend the closing hours of a medical marijuana dispensary and/or establishment. Specifically, Harvest Trulieve, on behalf of the Harvest House of Cannabis (dual license), requests the first change to Chapter 28, Article 13, 28-316, B: A medical marijuana dispensary shall have operating hours not earlier than 9:00 AM and not later than 10:00PM, instead of 8:00 PM. The second change is to Chapter 28, Article 13, 28-317, B to change A marijuana establishment shall have operating hours not earlier than 9:00 AM and not later than 10:00 PM, instead of 8:00 PM.

By way of background, Council made several amendments to the hours of operation to include weekends and extending the hours of operation by two hours. Nearby cities' hours of operations range from between 7:00 p.m. and 10:00 p.m.

Staff recommends the text amendment as the expanded hours will accommodate the diverse needs of patients of medical marijuana dispensaries and marijuana establishments, many of whom are service workers and unable to visit the dispensary prior to 8:00 p.m. The amendment will be in line with nearby cities, and the Avondale Police Department has not identified any concerns with this request.

Required notifications were met with an advertisement in the newspaper and no comments have been received via Avondale Connect, phone calls, or emails.

There were no questions from the Commission/Staff.

There were no public comments.

Chair Thompson called for a motion.

Commissioner Osborne moved to approve Application PL-23-0017 Zoning Ordinance Text Amendment – Article 13 Medical Marijuana Dispensary and Marijuana Establishment Hours of Operation; Commissioner Meginnis seconded the motion.

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

Upon vote, the motion passed 5 to 0

c. The District at Crystal Springs – Rezone – Application PL-22-0217

Michelle Simerdla, Senior Planner, stated the purpose of this presentation is to review a proposed Rezone for the District at Crystal Springs for active adult apartments and future commercial parcels. The site currently being used for farming is located at the southwest corner of Avondale Boulevard and McDowell Road and was annexed in 1999. The Avondale Commons PAD currently under development, which allows for mixed uses, is located to the north, land zoned agricultural and being used for farming is located to the west, a Circle K gas station and land zoned community commercial being used for farming is located to the east, and the I-10 Freeway zoned agricultural is located to the south. Crystal Springs Apartments and the Sun Valley Academy Charter School, both part of the Crystal Springs PAD, are located on the western side of the site. A future multi-family development called McDowell 117 is located to the west of the Academy.

The General Plan Designation of property is mixed use, which is only in use for a mixture of residential and commercial uses. This encourages innovatively designed development with a village concept where residents can live, work, and recreate within the same development or close by.

Requests to rezone site from the existing Crystal Springs PAD to a new PAD, which would replace it for the site called the District at Crystal Springs PAD. This is the conceptual development plan; parcel A is being planned for active adult apartments for ages 55 and up with 216 units with the maximum density of 33.5 dwelling units. Parcel B and Parcel C are both planned for future commercial uses. Parcel D is planned for a rehabilitation hospital and Parcel E is planned for townhome development with 268 units with a max density of 11.5 dwelling units per acre.

This will be a gated project with access from McDowell Road and Avondale Boulevard, with a secondary entry on McDowell Rd and emergency access in the southwest corner of the site. Garages, private backyards, and on-street visitor parking will be provided. The applicant is requesting modifications to the C-2 standards including permitting pharmacies with drive throughs, a gas station with conditions in place of a CUP, as the existing Crystal Springs PAD allows for a gas station, an active adult apartment complex for ages 55 and up, and modifications to the R-4 multi-family residential use standards.

This project meets the C-2 and R-4 standards with requested deviations and this rezoning meets all the required findings listed in the staff report. The project is consistent with the goals and General Plan and Freeway Corridor Specific Plan, such as diversifying Avondale by providing for varied residential types, locating medical support services along McDowell Road, and maintaining an upscale appearance of Avondale from the I-10 Freeway. The Littleton Elementary School District does not have adequate capacity, but the developer is working on an impact agreement with the school. Tolleson Union High School indicated they do have sufficient capacity.

Required notifications were met with a neighborhood meeting at City Hall in February with no attendees outside of city staff and the applicant team. No comments have been received via the Avondale Connect platform.

Staff recommends approval of application PL -22-0217, The District at Crystal Springs, a request to rezone an approximately 45-acre site from Crystal Springs PAD to The District at Crystal Springs PAD, subject to the 3 conditions of approval as listed in the staff report.

Commissioners were given an opportunity to ask questions. Ms. Simerdla explained the proposed 10 stories is for future commercial uses as noted in the Freeway Corridor Specific Plan. Carolyn Oberholtz, applicant, explained the 55+ housing is not assisted living, but strictly an age-restricted active adult community. Many of these active adult citizens are looking to downsize, stay within their community, and stay close to restaurants and medical services. This type of housing will be new to Avondale, but not to the West Valley. All proposed uses blend well together, as the townhome residents will typically be healthcare workers or those drawn to the adjacent uses. Plans for Parcel B and C will be for mixed uses, which are being presented to end users. Brian Wright, Project Engineer from Kimley-Horn, stated the canals will be removed but the transmission main will remain and continue south.

Chair Thompson called for a motion.

Commissioner Osborne moved to approve Application PL-23-0017 Zoning Ordinance Text Amendment – Article 13 Medical Marijuana Dispensary and Marijuana Establishment Hours of Operation; Commissioner Meginnis seconded the motion.

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

Upon Vote, the motion passed 5 to 0

6. COMMISSION ANNOUNCEMENTS

No Commission announcements were made.

7. PLANNING DIVISION REPORT

There were no Planning Division reports.

8. CALENDAR

The next Planning Commission meeting will be held on June 21, 2023.

9. ADJOURNMENT

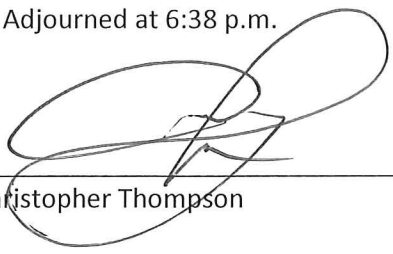
There was no further business; Chair Thompson called for a motion to adjourn.

Commissioner Osborne made a motion to adjourn; seconded by Vice Chair White.

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

Upon Vote, the motion passed 5 to 0

Meeting Adjourned at 6:38 p.m.



Chair, Christopher Thompson

21 Jun 2023

Date