Avondale

Aspiring. Achieving. Accelerating.

Planning Commission
Avondale Civic Center, 11465 West Civic Center Drive, Council Chambers
Thursday, February 21, 2019 at 6:00 P.M.

Summary Actions

1. **Roll Call by Vice Chair Amos**

2. **Approval of Minutes - Approved**

The Planning Commission approved of the January 17, 2019 Meeting Minutes. The Planning Commission will take appropriate action.

3. **PL-18-0261 Woo Minor General Plan Amendment - Approved**

   The Planning Commission will hold a public hearing and consider a request by Mr. David Kenyon with Kenyon Architectural Studios for a Minor General Plan Amendment on approximately 2.5 acres located on the southwest corner of El Mirage Road and Buckeye Road. The Minor General Plan Amendment request is from Medium Density Residential to Local Commercial land use. Staff contact: Rick Williams

4. **PL-18-0262 Woo Rezoning – Approved**
   The Planning Commission will hold a public hearing and consider a request by Mr. David Kenyon with Kenyon Architectural Studios to Rezone approximately 2.5 acres located on the southwest corner of El Mirage Road and Buckeye Road. The Rezoning request is from Single-Family Residential (R1-6) to Community Commercial (C-2). Staff contact: Rick Williams

5. **Adjournment**

Members will attend either in person or by telephone conference call.

Los miembros asistiran en person o via 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 oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

Avondale
Aspiring. Achieving. Accelerating

PLANNING COMMISSION REGULAR MEETING MINUTES

CITY COUNCIL CHAMBERS
11465 W CIVIC CENTER DRIVE
AVONDALE, AZ 85323

Thursday, February 21, 2019
6:00 P.M.

I. CALL TO ORDER

Vice Chair Amos called the Regular Meeting to order at approximately 6:05 p.m.

II. ROLL CALL

The following members and representatives were present:

COMMISSIONERS PRESENT
Lisa Amos. Vice Chair
Christopher Thompson, Commissioner
Denise Stanfield, Commissioner
David Iwanski, Commissioner
Linda Warren, Commissioner

ABSENCE EXCUSED
Russell Van Leuven, Chair

ABSENCE UNEXCUSED
Lisa Osborne, Commissioner

CITY STAFF PRESENT
Jodie Novak, Planning Manager
Rick Williams, Senior Planner
Byron Easton, Senior Planner
Nicholle Harris, City Attorney

III. OPENING STATEMENT

Vice Chair Amos read the Opening Statement.

IV. APPROVAL OF MINUTES

Vice Chair Amos invited a motion to approve the minutes. Commissioner Thompson moved to accept the minutes from the January 17, 2019 regular meeting as presented. Commissioner Warren seconded the motion.

ROLL CALL VOTE

Russell Van Leuven	Absent
Lisa Amos	Aye
Christopher Thompson	Aye
Denise Stanfield	Aye
David Iwanski	Aye
Linda Warren	Aye
Lisa Osborne	Absent

The motion was approved 5 to 0.

V. PUBLIC HEARING ITEMS:

a. PL-18-0261 Woo Minor General Plan Amendment

A request by Mr. David Kenyon with Kenyon Architectural Studios for a Minor General Plan Amendment on approximately 2.5 acres located on the southwest corner of El Mirage Road and Buckeye Road. The Minor General Plan Amendment request is from Medium Density Residential to Local Commercial land use. Staff contact: Rick Williams

Rick Williams, Senior Planner, stated that there were two applications before the Commission, but he would combine them into one presentation, even though the two related matters would require separate motions. Mr. Williams stated that the first request was to amend the 2030 General Plan for approximately 2.5 acres of land from Medium Density Residential to Local Commercial land use. The second application, (Item b), would subsequently rezone the 2.5 acres of land from R-16 Single Family Residential to C-2 Community Commercial.

Mr. Williams displayed a map showing the 2.5 acres, with Coldwater Springs Phase I to the north, across Buckeye Road and future phases of Coldwater Springs. Diamond Ridge is immediately south and Cambridge Estates south and east of the 2.5 acres. He pointed out 14 acres of undeveloped CT Commercial Land, part of the Coldwater Springs PAD, with the Armonia Church property to the west, as well as Cashion Tank and Steel a little farther west. Mr. Williams discussed the planning and zoning exhibit, with the planned area containing the 2.5 acres, all of which is currently zoned as R-16 Single Family Residential, as is the church property, and Cashion Tank and Steel.

Mr. Williams provided a brief history and background on the subject site, which was annexed in 1976, then zoned R1-6 Single Family Residential between 1980 and 1990, even though the Fiesta Barn and Convenience Store was located on the site in 1976. He noted that the site is now considered Medium High Density designation on the General Plan Use map. He added that made the Fiesta Barn and Convenience Store technically illegal to operate on the site, and that it is also the site of a Saturday and Sunday swap meet, from about 8:00 a.m. to

12:00 p.m. on both days, also an illegal use under the current zoning. He added that the impetus behind the two applications this evening were the Fiesta Barn. The owners are looking to improve their site and add a drive-through to the building and make some site improvements, which could only be done after conformance with the General Plan, and changing the zoning to Commercial.

Mr. Williams presented two maps, one with the current General Plan Land Use map on the top, specific to the first application (Item a), with the subject site outlined in red. He noted this area did hold a Medium Density Residential use attached. He then pointed out that the lower half of the map, which was the 2.5 acres under discussion, would be amended from Medium Density Residential to Local Commercial (C-2) use.

Mr. Williams stated that the second part of the application was to rezoning from R1-6 to C2 Commercial use; he noted the conceptual site plan shown depicted its current standing, and the request to improve the site was addressed in the staff report this evening, and would ensure that not only future development but any improvement or expansion to the site would realize those shown, including but not limited to: installing landscape along Buckeye Road, a County road recently improved with curb, gutter and sidewalk. Any improvements would also include building façade improvements such as painting; signage would be brought to conformance with minimum sign code pursuant to Section 9 of the Zoning Ordinance. The parking lot would be resurfaced and restriped. Mr. Williams said that installation of the drive-through for the convenience store would require a conditional use permit, which would require future consideration by the Commission.

Mr. Williams stated that the typical C-2 development standards were included in this presentation, and highlighted those, which had to do with side, front and rear setbacks, building height and general information. Mr. Williams said that in staff's opinion, rezoning of the 2.5 acres is in line with the 2030 General Plan by bringing the existing use of the convenience store into conformance, although the weekend swap meet would still be an illegal non-conforming use. He added that, more specifically, the change in zoning would provide standards and structure for future development, as well as any site improvements that would occur with the convenience store and bring a much-needed aesthetic improvement to the site.

Mr. Williams stated that all required notifications were completed and published. He added that the neighbourhood meeting was conducted on January 29, 2019, at the Avondale Civic Center Library, with five attendees. Overall support for the project was evident, especially for improvements to the convenience store. Mr. Williams noted that there had been a couple of concerns regarding traffic congestion for the weekend swap meet. Staff is currently working with the owner of the property and a simple solution is possible. He stated there were three visitors through the social media site aVOICE, however, no comments were left. Mr. Williams stated that earlier this week, he had received an email from an out-of-state property owner asking for clarification on what the applications were about, to which he responded, but had no further correspondence after that.

Mr. Williams concluded by stating that it was staff's recommendation that the Planning Commission approve the minor General Plan Amendment this evening, as well as the rezoning of the 2.5 acres to Community Commercial, subject to the recommended conditions of approval contained in the staff report. He added that he would happy to answer any questions and noted that the owner's applicant was present.

Vice Chair Amos asked if there were any questions and Commissioner Warren asked about possible congestion from the drive-through at the convenience store. Mr. Williams responded that would require application for both a conditional use permit and a site plan application. Based on the traffic engineer's feedback, this may require a traffic statement or possibly a full-blown traffic analysis. Mr. Williams added that either way, specific queueing requirements would have to be met, and he emphasized that the material presented is a conceptual site plan. Once the conditional use permit and the site plan were submitted, they would be fully vetted by the Traffic Engineer and the Engineering Department, as well as Planning staff.

Vice Chair Amos asked what the plan was for relieving congestion for the swap meet, and how the swap meet and drive-through would coexist. Mr. Williams said that a critical portion of the conditional use permit is that stipulations could be attached regarding hours of drive-through operation, and delivery and drop-off hours. He added that the drive-through hours of use would be limited by the conditional use permit in the most optimal way for the two to coexist. Mr. Williams noted that the report showed there is no off-street parking along El Mirage Road, and this restriction is apparently being followed, according to the aerial picture. Another important fact is that all the vendors are on the west side of the property while the parking is all on the east side. Residents from the east and south have indicated that traffic build-up occurs when vehicles exiting the swap meet encounter traffic volume on El Mirage Road. Mr. Williams said the idea is to shut off that access except in emergency and move all the vendors to the east side of the property, which will force all parking to the west side, provide sufficient access for full movement out of the area, and should relieve the congestion going out on to El Mirage Road.

Mr. Williams noted that there would be some higher volume of cars existing once the swap meet ended and vendors were heading out of the area. At that point, vendors would be able to leave in each direction. Staff believes that this plan would address the situation.

Commissioner Amos pointed out that a housing development is coming in to the south, and traffic flow at that intersection should also be considered. Mr. Williams stated that there is a City CIP project to widen that intersection and put a right turn lane onto eastbound Buckeye Road, which would also help to relieve congestion at the swap meet site. As part of the rezoning, the City is asking additional dedication from the property owner to facilitate that CIP project. The date is currently unknown, but staff is gearing up for it. Commissioner Warren pointed out that traffic there would also be partly the responsibility of the adjacent owner, and Mr. Williams stated that the matter is being considered by the City because it is an important issue and needs to be addressed.

At Vice Chair Amos's invitation, the Applicant, Michael Talbot, addressed the Commission. He said that he represented Kenyon Architectural Studio, and that David Kenyon is the working architect for the project. Mr. Talbot is also representing Mr. Kenyon this evening. He thanked the City and the Commission for consideration of the project, as well as the citizens of Avondale who came to the public meeting and noted that Kenyon Architectural Studio has been quick to address any citizen concerns. He added that Mr. Williams was also certainly helpful as well. Mr. Kenyon noted that the owner is very interested in bringing the project to completion, in terms of bringing the building to a better standard for viewing and for use, and to include landscaping. He added the owner is committed to hearing any issues and is very supportive of the project.

Commissioner Iwanski thanked Mr. Talbot and his project team for their work, and their willingness to work with staff and move vendors to the east side of the property to relieve traffic flow. He noted that kind of willingness in these types of projects is much appreciated.

Vice Chair Amos also thanked Mr. Talbot and the owner, stating that she lived immediately to the south of the site, and noted that the traffic can be hair-raising.

Vice Chair Amos opened the public hearing.

Ivan Caballero stated that he was a homeowner behind the Fiesta Barn, and his only problem is mainly the rat problem created by the trash can. He said that he had pictures of the rats at the site, and he also had a picture of a rat in his back yard. He would like the problem fixed.

Mr. Williams updated the situation, stating that Mr. Caballero shared this at the recent public meeting. Since then the tenant of the convenience store, and Mr. Woo, the owner, were contacted, and it was found that the convenience store already had a pest control system in place. After the contact, the vendor was sent back out to update all the traps, and other control measures offered, to bring the situation into standard conformance, but he was not aware if that had changed anything.

Ms. Jodie Novak, Planning Manager, stated that it would be good to obtain Mr. Caballero's phone number, so they could contact him in efforts to reach out to the property owner of the convenience store and facilitate a remedy. Mr. Caballero stated that he had spoken with Mr. Woo who stated he would move the Dumpster to another area. He added that the pictures that he had taken right after the January public meeting did not show any rat traps around the property. Ms. Novak stated that staff would reach out and get an update on the situation and then follow up with Mr. Caballero.

Vice Chair Amos thanked Mr. Caballero for bringing the matter to the Commission's attention again.

Mr. Talbot added that he lives south of the Arcadia District, and when Mr. Caballero had expressed concern at the public meeting, the morning after the meeting, he had emailed the City of Avondale about the issue, and had also contacted Mr. Woo that same morning, who had indicated that he would follow up.

Ms. Novak stated the rat issue is a Code Enforcement issue and would be pursued, but the matter before the Commission is separate from that.

Upon acknowledging no further requests to speak, Vice Chair Amos closed the public hearing.

Vice Chair Amos invited a motion. Commissioner Iwanski moved to approve the Application PL-18-0261, Woo Minor General Plan Amendment as presented. Commissioner Warren seconded the motion.

ROLL CALL VOTE

Russell Van Leuven	Absent
Lisa Amos	Aye
Christopher Thompson	Aye
Denise Stanfield	Aye
David Iwanski	Aye
Linda Warren	Aye
Lisa Osborne	Absent

The motion was approved 5 to 0.

b. PL-18-0262 Woo Rezoning

A request by Mr. David Kenyon with Kenyon Architectural Studios to Rezone approximately 2.5 acres located on the southwest corner of El Mirage Road and Buckeye Road. The Rezoning request is from Single-Family Residential (R1-6) to Community Commercial (C-2). Staff contact: Rick Williams

Vice Chair Amos opened the public hearing. Upon acknowledging no requests to speak, Vice Chair Amos closed the public hearing.

Vice Chair Amos invited a motion. Commissioner Thompson moved to approve Application PL-18-0262 Woo Rezoning 2.5 acres of land from R1-6 to C2, subject to six conditions of approval. Commissioner Stanfield seconded the motion.

ROLL CALL VOTE

Russell Van Leuven	Absent
Lisa Amos	Aye
Christopher Thompson	Aye
Denise Stanfield	Aye
David Iwanski	Aye
Linda Warren	Aye
Lisa Osborne	Absent

The motion was approved 5 to 0.

VI. COMMISSION COMMENTS AND SUGGESTIONS

None.

VII. OTHER BUSINESS

None.

VIII. **PLANNING STAFF REPORT**

None.

IX. **CALENDAR**

Vice Chair Amos stated that next scheduled meeting is March 21, 2019.

X. **ADJOURNMENT**

Vice Chair Amos entertained a motion to adjourn the regular meeting. Commissioner Iwanski moved to adjourn. Commissioner Stanfield seconded the motion.

ROLL CALL VOTE

Russell Van Leuven	Absent
Lisa Amos	Aye
Christopher Thompson	Aye
Denise Stanfield	Aye
David Iwanski	Aye
Linda Warren	Aye
Lisa Osborne	Absent

The motion was approved 5 to 0.

With no further business, the meeting concluded at approximately 6:38 P.M.

FOR SPECIAL ACCOMMODATIONS

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 oido, impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta.

Staff Signature

3/21/19

Date