

**MINUTES
CITY OF GLENDALE PLANNING COMMISSION
SPECIAL MEETING
CITY COUNCIL CHAMBERS
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301**

**THURSDAY, JANUARY 8, 2015
6:00 PM**

CALL TO ORDER

The meeting was called to order at approximately 6:00 PM.

Commissioners Present: Commissioners Hirsch, Lenox, Berryhill, Lentz, and Johnston were present.

Commissioners Absent: Commissioner Dobbelaere.

City Staff Present: Tabitha Perry, Assistant Planning Director, Thomas Ritz, AICP, Senior Planner, Tom Dixon, CPM, Senior Planner, Deborah Robberson, Deputy City Attorney, and Diana Figueroa, Recording Secretary.

OTHER BUSINESS

Tabitha Perry, Assistant Planning Director, stated that agenda items may be taken out of order at the Commission's discretion. She suggested the Commission begin the meeting with agenda item six, Other Business. Everyone was in agreement.

Ms. Perry stated they were in an unusual situation this evening. She explained that the Planning Commission was without a Chair and a Vice Chair position which are appointed by City Council. Therefore, staff was asking for a volunteer to act as Chair for this meeting only. The vote for tonight's nomination will be made by the Commission.

Commissioner Johnston was nominated by the Commission as acting Chair for tonight's meeting.

APPROVAL OF MINUTES

Acting Chairperson Johnston called for Approval of Minutes from the June 19, 2014 Special Workshop and the October 2, 2014 Regular Meeting.

Commissioner Lenox made a Motion to Approve the June 19, 2014 Special Workshop Meeting minutes and was Seconded by Commissioner Berryhill. The Motion passed unanimously.

Commissioner Hirsch made a Motion to Approve the October 2, 2014 Meeting minutes and was Seconded by Commissioner Lenox. The Motion passed unanimously.

WITHDRAWALS AND CONTINUANCES

Acting Chairperson Johnston called for any withdrawals and/or continuances. There were none.

PUBLIC HEARING ITEMS

Acting Chairperson Johnston called for staff's presentation.

1. CUP14-07: A request by Paul O'Connor, representing Patricia Guizan, for a Conditional Use Permit to permit a dancing and live entertainment at a proposed banquet hall located within 500 feet of residentially zoned property in the Glendale Centerline Overlay (GCO) zoning district. The site is located south of the southwest corner of 55th Avenue and Glendale Avenue (6830 North 55th Avenue) and is located in the Ocotillo District. Staff Contact: Thomas Ritz, AICP, Senior Planner.

Mr. Thomas Ritz, AICP, Senior Planner, stated this was a request to allow live music, performance by more than one musician and dancing at a new banquet hall located within 500 feet of residentially zoned property in the Glendale Centerline Overlay zoning district proposed for an existing building. He said that all live music and patron dancing will be performed inside the building. He explained that the Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of this neighborhood and consistent with the General Plan.

Mr. Ritz noted the applicant indicated that music and dancing was an important aspect to the project, however, they are not the main functions of the facility. The banquet hall events would be typically booked only on the weekends. He said the banquet hall hours will be limited to Thursdays from 5p.m. to 10 p.m. and Fridays, Saturdays, and Sundays from 5 p.m. to 12:30 a.m. Mr. Ritz stated that the applicant contends the noise abatement should not be a problem for residents. He explained that existing roll-up doors will be replaced with self-closing, self-locking, and sound sealing main exterior doors. He added that sound insulation will be added to the roof and walls. In addition, no liquor license was required since the bar will be operated by a vendor and all events will be catered with only warming of food done in the kitchen preparation area.

Mr. Ritz noted that on November 18, 2014, notification letters were mailed informing the adjacent property owners and interested parties of their request. The Planning Division did not receive any responses regarding the request nor did the applicant. However, a parking concern was voiced from a property owner to the south after the Planning Commission's report was completed. He said the property owner was in the audience tonight to speak on this item.

In conclusion, Mr. Ritz stated this request appears to meet the required findings and should be approved, subject to the stipulations listed in the staff report. He asked for questions from the Commission.

Acting Chairperson Johnston called for questions from the Commission.

Commissioner Berryhill inquired as to the name of the business. Mr. Ritz stated the applicant was proposing to call her business The Glendale Banquet Hall. He asked if it was legal to only

use the liquor license of a vendor on a Glendale property. Mr. Ritz asked for assistance from the City Attorney's Office. Deborah Robberson, Deputy City Attorney, noted she would have to look into this issue. She would like to hear from the applicant as well.

Acting Chairperson Johnston called for the applicant to make a presentation.

Paul O'Connor, applicant's representative, stated in response to the liquor license question, that according to state law, if you are selling liquor you're required to have a liquor license, however, if you are just serving liquor, a liquor license is not required.

Ms. Robberson suggested the Commission make a stipulation to address Commissioner Berryhill's concern. She said the stipulation would be that the applicant would have to comply with all of Arizona liquor rules, regulations and statutes as a requirement of the CUP. The Commissioners agreed.

Commissioner Hirsch asked for assurances that the patio would not be part of the project. Mr. Connor agreed and assured the Commission that it would not be used for banquet activities.

Mr. O'Connor stated he would like to address the concerns from the property owner to the south. He said he did meet with the property owner and noted his concerns regarding trash and parking in front of his gated property. He explained that they were addressing the trash situation with a larger dumpster behind a gate as well as more frequent trash pick-up. He noted that regarding the parking issue, they offered to put up No Parking Signs or Keep Driveway Clear Signs.

Acting Chairperson Johnston asked what type of security the property will have. Mr. Connor stated they would employ a private security firm. Acting Chairperson Johnston asked if they were planning to have security cameras on the premises. Mr. Connor replied no.

Commissioner Lentz asked if the owner of the property will be on the premises at all times. Mr. Connor stated that the tenant who will be running the business will be there but not the owner that is renting the space.

Acting Chairperson Johnston opened the public hearing.

Bruce Dean, speaker, expressed his concerns with parking in the area as well as the trash blowing into his property. He believes the security of having one security guard for every 100 people was not adequate and thinks it will hurt his business next door. He explained he has had many break-ins on his property.

Mr. O'Connor reiterated that the trash would no longer be an issue and that it seemed that most of Mr. Dean's problems with parking were occurring during the day. He noted the applicant's hours were mainly on the weekends.

Acting Chairperson Johnston closed the public hearing.

Acting Chairperson Johnston called for a motion.

Commissioner Hirsch made a Motion to Approve CUP14-07 subject to the stipulations included in the staff report plus an additional eighth stipulation to read: Compliance with all state and local law and ordinance with regard to the use, sale, distribution, or presence of alcohol. Commissioner Lenox Seconded the Motion. The motion passed with a 3 to 2 vote. Acting Chairperson Johnston and Commissioner Berryhill voted nay.

Acting Chairperson Johnston called for the next step in the process.

Deborah Robberson, Deputy City Attorney, said this is final approval by the Planning Commission subject to a written appeal if filed within 15 days.

Acting Chairperson Johnston called for the next case.

Tom Dixon, Senior Planner, stated the next three items will be presented concurrently as they are on the same property; however, each will require a separate motion.

2. GPA13-05: A request by Land Solutions, Inc., representing Maricopa County Municipal Water Conservation District 1, to amend approximately 179.73 acres of the general plan designation from Low Density Residential (0 –1 du/acre) to Medium Density Residential (3.5 – 5 du/acre) and General Commercial. The site is located at the northeast corner of Citrus Road and Olive Avenue and is located in the Municipal Planning Area (17750 West Olive Avenue). Staff Contact: Tom Dixon, CPM, Senior Planner.

ZON13-08: A request by Land Solutions, Inc., representing Maricopa County Municipal Water Conservation District 1, to rezone the property from R1-8 and R1-10 (Single Family Residential Zoning Districts, Maricopa County designations) to R1-7 PRD (Single Residence, Planned Residential Development), R1-8 PRD (Single Residence, Planned Residential Development), R1-10 PRD (Single Residence, Planned Residential Development), and C-1 (Neighborhood Commercial). The site is located at the northeast corner of Citrus Road and Olive Avenue and is located in the Municipal Planning Area (17750 West Olive Avenue). Staff Contact: Tom Dixon, CPM, Senior Planner.

PP13-03: A request by Land Solutions, Inc., representing Maricopa County Municipal Water Conservation District 1, to approve a preliminary plat for Zanjero Pass, a 491-lot subdivision with an 8.18-acre commercial parcel. The site is located at the northeast corner of Citrus Road and Olive Avenue and is located in the Municipal Planning Area (17750 West Olive Avenue). Staff Contact: Tom Dixon, CPM, Senior Planner.

Tom Dixon, Senior Planner, stated that the applicant was requesting to amend the General Plan to Medium Density Residential and rezone the property to R1-7 Planned Residential Development, R1-8 PRD, and R1-10 PRD for the Zanjero Pass master planned development. He said the applicant was also requesting to amend the General Plan to General Commercial and a rezone of an 8.18-acre parcel to C-1. Additionally, on August 6, 2013, notification letters were mailed to adjacent property owners and interested parties notifying the public of a neighborhood meeting to be held on August 21, 2013 at the Glendale Adult Center. He noted that there were

approximately 10 residents in attendance in addition to the applicant, property owner and city staff. He stated that a second meeting was held on September 28, 2013 at the home of Jim Hagedorn, who resides north of the Zanjero Pass Property. He explained that at both meetings the residents discussed the proposal and voiced concerns on how this project could impact surrounding property values. He added the applicant also addressed the concerns relating to the project development. Finally, the applicant sent out an additional notification informing the surrounding neighbors that the Glendale City Council was considering a pre-annexation development agreement for Zanjero Pass at its meeting on November 24, 2014.

Additionally, the applicant is requesting to amend the General Plan to Medium Density Residential and rezone the property to R1-7 Planned Residential Development and R1-8 PRD, and R1-10 PRD for the Zanjero Pass master planned development. The applicant is also requesting to amend the General Plan to General Commercial and a rezone of an 8.18-acre parcel to C-1.

Mr. Dixon stated the request included Preliminary Plat approval for a 491 lot single family residential subdivision and an 8.18-acre commercial parcel. He explained this was a proposed subdivision on 179.73 acres of underdeveloped land. He said the land division would create a total of 491 single-family residential lots on 171.55 acres and a separate 8.18-acre commercial parcel, which would be situated at the corner of Citrus Road and Olive Avenue. He explained the project includes several tracts for use as common open space and landscaping, recreation areas both passive and active, and trail system.

In conclusion, Mr. Dixon stated these requests appear to meet the required findings and should be approved, subject to the stipulations listed in the staff report. He went through each stipulation in detail. He asked for questions from the Commission.

Acting Chairperson Johnston called for questions from the Commission.

Commissioner Berryhill asked how water will be provided to this development. Mr. Dixon explained that water and sewer extensions were in progress to serve the area but the current project was only for entitlement.

Acting Chairperson Johnston called for the applicant to make a presentation.

Mr. David Maguire, with the Maricopa Water District, stated he had been working on the land and water portion of this project through MWD. He explained the process related to the development and the discussions related to obtaining water and sewer for that area spanning for 12 years. Since then, the 303 Land Owner Sewer Group was started four years ago and Glendale joined the group. He indicated that about a year ago they worked together and signed an agreement with the City of Glendale to provide sewer service to this area. He noted the original provider was to be Global. He stated that Epcor was now the water and sewer provider for the area and has been approved by the city. He stated that the City of Glendale made a decision some time ago not to provide water or sewer service to this area, therefore it will be provided by a private company. He provided additional information on the Maricopa Water District which

was like Salt River Project. He also shared some aerial pictures of the project to the Commission.

Acting Chairperson Johnston opened the public hearing.

Jim Hagedorn, speaker, stated that he has lived in the area for 22 years and owns two lots in that area. He said his concerns were that this will end the quality of life he has led in a quiet style rural living that he was accustomed to for many years. He provided a map of the area in which he would not want any type of development advancement. He said the street in question was Cheryl Drive and he stated that everyone on that street would want to be left alone.

Acting Chairperson Johnston closed the public hearing.

Acting Chairperson Johnston called for a motion.

Commissioner Hirsch made a Motion to recommend approval of GPA13-05. Commissioner Lenox Seconded the Motion, which was approved unanimously.

Deborah Robberson, Deputy City Attorney stated the Planning Commission's actions are not final and the Commission's recommendation will be forwarded to City Council for further action.

Commissioner Hirsch made a Motion to recommend approval of ZON13-08 subject to the two stipulations included in the staff report plus an additional stipulation to read: The lots along the northern edge of Zanjero Pass adjacent to Cheryl Drive shall be limited to single story homes specially Lots 9, 10, 11, 16, 17, 22 through 29, 38, 42, 43, 44, 47, 48, and 49 as shown on the preliminary plat. Commissioner Lenox Seconded the Motion, which was approved unanimously.

Deborah Robberson, Deputy City Attorney, stated the Planning Commission's actions are not final and the Commission's recommendation will be forwarded to City Council for further action.

Commissioner Lenox made a Motion to Approve PP13-03 subject to the stipulations included in the staff report plus an additional stipulation to read: The lots along the northern edge of Zanjero Pass adjacent to Cheryl Drive shall be limited to single story homes specially Lots 9, 10, 11, 16, 17, 22 through 29, 38, 42, 43, 44, 47, 48, and 49 as shown on the preliminary plat. . Commissioner Hirsch Seconded the Motion, which was approved unanimously.

Deborah Robberson, Deputy City Attorney, said this is final approval by the Planning Commission subject to a written appeal if filed within 15 days. The 15 days will start after ZON13-08 is finalized.

PLANNING STAFF REPORT

Acting Chairperson Johnston asked if there was a Planning Staff Report. There was none.

COMMISSION COMMENTS AND SUGGESTIONS

Acting Chairperson Johnston called for Comments and Suggestions.

Acting Chairperson Johnston thanked the Commissioners, staff and the public for their participation.

ADJOURNMENT

Commissioner Hirsch Made a Motion to adjourn the meeting. The Motion was Seconded by Commissioner Lenox, which was approved unanimously.

The meeting was adjourned at 7:10 p.m.

NEXT MEETING: February 5, 2015