

**PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
SEPTEMBER 29, 2016**

At the call of the Chair, a Special Meeting of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe Street, Peoria, AZ in open and public session at 6:30 p.m.

Members Present: Secretary Shawn Hutchinson, Commission Members Nancy Golden, Bill Louis, Jeff Nelson Jay Otlewski, Bryan Patterson and Alternate Member Mitchell Bolnick

Members Absent: Chair Leigh Strickman

Others Present: Chris Jacques – Planning Director, Steve Burg – Chief City Attorney, Adam Pruett - Planning Manager, Melissa Sigmund – Principal Planner, Cody Gleason – Planner, Randy Proch – Planner, Jennifer Fostino - Planner and Della Ernest – Executive Assistant

Opening Statement: The Opening Statement was read by Secretary Hutchinson.

Call for speaker request forms.

Audience: 18

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a “C” are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion.

1C Disposition of Absence

Discussion and possible action to approve the absences of Commissioners Bill Louis, Jay Otlewski and Alternate Member Mitchell Bolnick from the Planning and Zoning Commission meeting held on August 18, 2016.

2C Minutes

Discussion and possible action to approve the minutes of the Planning and Zoning Commission meeting held on August 18, 2016.

3C **CU16-0019: Fry's Marketplace Wine Bar**

Discussion and possible action regarding a request for a Conditional Use Permit (CUP) to allow a wine bar utilizing a Series 7 Liquor License within a new Fry's Marketplace. The site is located north of the northeast corner of Lake Pleasant Parkway and Happy Valley Parkway within the Lake Pleasant Crossings Shopping Center.

4C **CU16-0017: Auto Xtreme Service Expansion**

Discussion and possible action to consider a request for a Conditional Use Permit to allow an expansion of Auto Xtreme Auto Repair within an existing building located at 17561 N. 91st Avenue.

5C **CU16-0011: F & R Properties (Iron Key Studio)**

Discussion and possible action to consider a request for a Conditional Use Permit to allow a tattoo and body piercing studio within Iron Key Studio, an existing art gallery located at 9210 W. Peoria Avenue.

COMMISSION ACTION: Commissioner Louis moved to approve the Consent Agenda. The motion was seconded by Commissioner Nelson and upon vote, passed unanimously.

REGULAR AGENDA

6R **Zoning Ordinance Amendment: Medical/Animal Clinic parking requirements**

Discussion and possible action to consider a city-initiated request to Article 14-23 of the Peoria Zoning Ordinance updating the minimum parking standards for medical clinics, animal clinics and veterinarian hospitals.

Staff report was presented by Mr. Randy Proch, Planner

COMMISSION COMMENTS:

Commissioner Nelson asked if the amendment affects the minimum number of handicapped parking spaces and why animal boarding is not addressed in this text amendment.

Mr. Proch stated the number of handicapped parking spaces is handled separately by the ADA. Mr. Proch stated that overnight boarding is addressed in a separate line item in the zoning ordinance.

Commissioner Golden asked if the text amendment affected stand alone facilities or if it addresses multi-tenant buildings that have more than one office or use.

Commissioner Golden expressed concern that the amendment wouldn't allow for adequate number of parking spaces.

Mr. Proch stated the text amendment would cover multi-tenant buildings and the number of parking spaces are for staff as well as clients.

Mr. Chris Jacques noted that staff has looked at current standards, researched professional publications and saw it was out of alignment with best practices.

Commissioner Nelson asked if staff monitors any shortage of parking spaces as the health care industry changes.

Mr. Jacques stated staff continuously monitors changes in the industry.

COMMISSION ACTION: Commissioner Louis moved to approve TA16-0005. The motion was seconded by Commissioner Nelson and upon vote, passed unanimously.

7R **Saguaro Sky Medical Marijuana Dispensary**

A public hearing was held to consider a request for a Conditional Use Permit to allow a medical marijuana dispensary use in a vacant in-line suite located at 9240 W. Northern Avenue, Suite 103A. The property is within the Peoria Crossings Planned Area Development (PAD).

Mr. Adam Pruett provided some context on medical marijuana in Arizona and the city of Peoria.

Staff report was presented by Mr. Randy Proch, Planner

PUBLIC COMMENTS:

Mr. Andy Workman; the applicant, stated he has a dispensary south of the city of Maricopa in Pinal County. He stated that his goal is to receive one of the dispensary certificates and move into the Peoria Avenue location. However, if he does not, he will relocate his current business to Peoria.

COMMISSION COMMENTS:

Commissioner Otlewski asked if 31 new dispensaries is an official number.

Mr. Pruett confirmed that number is official and has been published.

Commissioner Nelson asked if the business sells smoking paraphernalia and if so, is it just for patients or recreation.

Mr. Workman confirmed he does sell paraphernalia strictly to patients.

Commissioner Golden asked if there have been any problems at the location on Peoria Avenue.

Mr. Proch stated staff worked closely with the police department and to-date, there have not been any issues at the Peoria Avenue location.

Commissioner Nelson asked why the proposed location is so close to the existing dispensary.

Mr. Proch stated that because of all the separation requirements, there are a limited number of qualifying locations that meet the requirements.

COMMISSION ACTION: Commissioner Nelson moved to approve CU16-0015. The motion was seconded by Commissioner Louis and upon vote, passed unanimously.

8R **CU16-0007: Medical Marijuana Dispensary**

A public hearing was held to consider a request for a Conditional Use Permit (CUP) to allow the development and operation of a 2,000 square foot Medical Marijuana Dispensary, located at the southwest corner of 91st Avenue and Olive Avenue.

Staff report was presented by Ms. Jennifer Fostino, Planner

PUBLIC COMMENTS:

Mr. Thomas Galvin; for the applicant, provided a presentation on the site, its history, challenges and plans should the application be approved.

Linda Parsons; a patient of Bloom, spoke in favor of the business.

John McDonald; a patient of Bloom, spoke in favor of the business.

Edmond Vartughian; spoke in favor of the business and their professionalism. Mr. Vartughian would be developing the property at the proposed location.

Paul Blum; represents the seller of land and spoke in favor of the business.

Stephanie Pereyra; the patient liaison for Bloom, spoke in favor of the business.

Dave Morrissey; a patient of Bloom, spoke in favor of the business and highlighted their community involvement.

COMMISSION COMMENTS:

Commissioner Nelson asked why the request wasn't restricted since Winery 101 is within 1000' as noted in the zoning ordinance.

Ms. Melissa Sigmund stated the Winery 101 business holds a different type of liquor license and is not classified as a retail liquor store.

Commissioner Otlewski asked if a doctor would be on-site to issue a medical card.

Mr. Judice stated no doctor would be on-site.

Commissioner Otlewski asked what the concern was from Westgreen Townhouse Association.

Mr. Edward Judice, the applicant, stated the concern was traffic and the site in general.

Commissioner Nelson asked if the dispensary would sell product to anyone without a medical card.

Mr. Judice stated no sales to people without a required medical card.

COMMISSION ACTION: Commissioner Louis moved to approve CU16-0009. The motion was seconded by Commissioner Otlewski and upon vote, passed unanimously.

9R **Election of Vice-Chair**

Discussion and possible action to elect Vice-Chair for the remainder of 2016.

Ms. Melissa Sigmund provided the Commission with information on eligibility.

Commissioner Louis nominated Commissioner Nelson to fill the position of Vice-Chair.

COMMISSION ACTION: Commissioner Louis moved to elect Commissioner Nelson as Vice-Chair. The motion was seconded by Commissioner Golden and upon vote, passed unanimously.

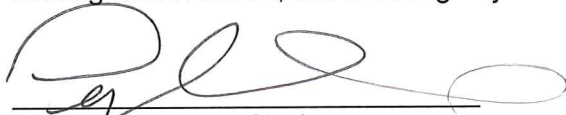
REPORT FROM STAFF:

Mr. Pruett notified the Commission of the next meeting of the Planning & Zoning Commission on October 20th. There is no meeting on October 6th due to a lack of cases.

REPORTS FROM THE PLANNING AND ZONING COMMISSION:

None

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:35 p.m.



Leigh Strickman, Chair

10-20-16
Date



Submitted by Della Ernest

10-20-16
Date