

**PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
POINT OF VIEW CONFERENCE ROOM – DEVELOPMENT AND COMMUNITY
SERVICES BUILDING
OCTOBER 4, 2018**

A Meeting of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 9875 N. 85th Avenue, Peoria, AZ in open and public session at 6:32 p.m.

Members Present: Chair Shawn Hutchinson, Vice-Chair Jeff Nelson, Secretary Jay Otlewski, Commissioner Clay Allsop, Commissioner Linda Grice, and Commissioner Joanna Conde

Members Absent: Commissioner Bryan Patterson

Others Present: Chris Jacques – Planning Director, Adam Pruett – Planning Manager, Lorie Dever – Principal Planner, Sean Allen – Senior Planner, David Benton – Assistant City Attorney, Jason Cleghorn – Community Development Coordinator and Della Ernest – Executive Assistant

Opening Statement: The Opening Statement was dispensed with by Chair Shawn Hutchinson.

Call for speaker request forms.

Audience: 4

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 Minutes

Discussion and possible action to approve the minutes of the Planning and Zoning Commission meeting held on September 20, 2018.

2C Fairmont Village Assisted Living Center: Conditional Use Permit (CU18-05)

A request to obtain a Conditional Use Permit to allow an assisted living center / senior care facility within the existing building. The site is located at 10401 N. 79th Avenue and zoned Intermediate Commercial (C-2).

COMMISSION ACTION: Vice-Chair Nelson moved to approve the Consent Agenda as presented. The motion was seconded by Secretary Otlewski and upon roll call vote, passed 6-0.

REGULAR AGENDA

NEW BUSINESS

3R Outdoor Dining: Zoning Ordinance Text Amendment (TA18-04)

A request to consider a City-initiated amendment to Section 21-503 ("Land Use Matrix") and Section 21-505.B.3 ("Limitations on Use") within the Non-Residential section of the City of Peoria Zoning Ordinance. The proposed changes would amend current limitations on outdoor dining to only require a Conditional Use Permit if the exterior walls of the patio (outdoor dining area) are within two-hundred (200) feet of a residentially-zoned property.

The staff report was presented by Mr. Chris Jacques, Planning Director.

COMMISSION COMMENTS:

Vice-Chair Nelson asked what was the determining factor for the 200 foot requirement.

Mr. Chris Jacques stated the provision aligns with other limiting requirements in the Zoning Ordinance such as the separation requirement for drive-through restaurants or bar/tavern uses. The 200 foot provision is about ten (10) car lengths and staff believes noise is not likely to impact surrounding residents.

Vice-Chair Nelson commented that not having a maximum allowable percentage of patio space could increase the crowds and the noise; should staff look at how 200 feet impacts the area before allowing the maximum allowable patio space.

Mr. Jacques stated the Commission could choose to direct staff to review the 200 foot provision but staff has seen that patios vary in size and 25% seems like an arbitrary limiting factor at a time when the city is looking to activate public spaces.

Chair Hutchinson commented he is more concerned with proximity to properties rather than the increase in percentage but feels there should be oversight especially when a Conditional Use Permit wouldn't be required.

Commissioner Conde commented she is more concerned with sound level than patio size and would like to know what is typical for other cities.

Mr. Jacques stated the city is unique in our requirement for a Conditional Use Permit for an outdoor dining patio and that we, along with other cities, have a noise ordinance. Depending on the time of day, there is a maximum decible level in the noise ordinance that limits sound levels.

Commissioner Grice asked staff for clarification on the memo under 'Revision Language' which states, "No Conditional Use Permit is required when the *exterior wall or area of the patio or seating area is located within two-hundred (200) feet from a residentially-zoned lot, not including common area tracts.*"

Mr. Jacques stated there is a grammatical error. The correct word should be beyond instead of within.

Secretary Otlewski asked if we could require applicants to request a permit if there will be live bands on the patio.

Mr. Jacques stated that is a provision that could be included if that is what the Commission decides.

Chair Hutchinson asked staff what the impact is having this process in place.

Mr. Jacques stated that the Conditional Use Permit typically results in an additional 2-3 months to obtain the use permit.

COMMISSION ACTION: Commissioner Allsop moved to approve TA18-04 as presented. The motion was seconded by Commissioner Conde and upon roll call vote, passed 6-0.

4R **Project Update: 2018 Major General Plan Amendment**

Staff presentation and possible discussion regarding the 2018 Major General Plan Amendment Cycle.

Ms. Lorie Dever provided the Commission an overview of the cycle with focus on:

- Three (3) amendments (GPA18-02, GPA18-03, and GPA18-04)
- Refinement of critical maps and amendment criteria
- Better reflect existing conditions and future needs
- Essential foundation for next phase

Case GPA18-02, Circulation Map

What it Does:

- Existing & Envisioned Transportation Network
- Map shows collector roadways and above
- Not same as Street Classification Map

Proposed Modifications:

- Refining Classifications
- Additions / Deletions

- Renaming
- Realignment

Case GPA18-03, Land Use Map

What it Does:

- Assigns land use category to each property
- Categories do not follow property lines
- Covers Municipal Planning Area (MPA)

Proposed Modifications:

- Recognition of existing conditions
- General cleanup of line work
- Largely did not include vacant sites or areas planned for refinement (*FY19 Cycle)

GPA18-04, Land Use Element and Plan Administration Text Changes

What it Does:

- Chapter 2: Land Use Category descriptions
- Chapter 14: Explains how Plan is administered and amendments are processed

Proposed Modifications:

- Clarify language
- Clarify Major/Minor Amendment criteria

Ms. Dever stated we are currently in the 60-Day Review and public and agency comments have been received and staff has an errata sheet for tracking. Review comments are due by Monday, October 8th but staff will receive comments after this date.

COMMISSION COMMENTS:

Vice-Chair Nelson asked what the level of involvement from the public has been.

Ms. Dever stated feedback has been surprisingly good for a General Plan Amendment as these typically do not receive much interest as other amendments.

CALL TO THE PUBLIC ON NON-AGENDA ITEMS: None

UPDATES FROM STAFF:

Mr. Jacques notified the Commission of the next Planning Commission meeting on October 18th. The November 11th location will be the offsite meeting at Rio Vista Community Center.

Mr. Jacques notified the Commission that a recommendation has been made by the Council Subcommittee on Boards and Commissions to fill the vacant alternate position and hope to have that person seated soon.

UPDATES AND REPORTS FROM THE PLANNING AND ZONING COMMISSION:
None

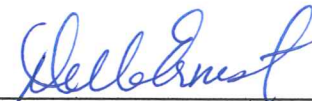
ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:14 p.m.



Shawn Hutchinson, Chair



Date



Submitted by Della Ernest



Date