

**PLANNING AND ZONING COMMISSION MINUTES  
CITY OF PEORIA, ARIZONA  
CITY HALL, COUNCIL CHAMBER  
MARCH 6, 2008**

A **Regular 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 6:32 p.m.

**Members Present:** Vice Chair Veda McFarland, Commissioners Kenneth Compton, William Louis, John Gerard, Marc Melbo and Anne Wojcik.

**Members Absent:** Chair Greg Loper and Commissioner Michael Worlton.

**Others Present:** Ellen Van Riper, Assistant City Attorney, Glen Van Nimwegen, Community Development Director, Chad Daines, Planning Manager, Chris Jacques, Principal Planner, Caroline Ruiz, Planner, Monique Spivey, Associate Planner, Melissa Zechiel, Planning Technician, Beverly Parcels, Planning Assistant and Cathy Griffin, Executive Assistant.

**Opening Statement:** read by Chad Daines.

Final call for speaker request forms.

**Audience:** Approximately 12.

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:** approved the absences of Commissioners William Louis, John Gerard and Anne Wojcik from the February 21, 2008 meeting.

**2C    MINUTES:** approved the minutes of the Regular Meeting held February 21, 2008

**3C    CU07-29:** Azul Café, 9440 W. Peoria Ave, is requesting a Conditional Use Permit to allow an outdoor dining patio off the southeast corner of the existing building

**Commission Action:** Commissioner Louis moved to approve the Consent Agenda items. The motion was seconded by Commissioner Gerard and upon vote, carried unanimously.

## **REGULAR AGENDA**

### **UNFINISHED BUSINESS:**

4R **Z07-06:** A request to rezone approximately 17.2 gross acres north of the northwest corner of 83<sup>rd</sup> Avenue and Olive Avenue from O-1/C-2 (Office/Commercial District) to PAD (Planned Area Development).

**STAFF REPORT:** presented by Caroline Ruiz, Planner, addressed the proposed application as outlined in the commissions' staff report.

### **PUBLIC HEARING:**

Mike Curley, 3101 N. Central, representing Colonial Properties, explained that he has been meeting with the neighbors to address their concerns. Meetings with neighbors are also scheduled for next week.

Commissioner Wojcik stated that she did not believe that this project would be in the best interest of the City of Peoria.

Don Habecker, stated that he agreed with Commissioner Wojcik in that apartments are not what the area needs.

**Commission Action:** Commissioner Gerard moved to recommend to City Council approval to rezone approximately 17.2 gross acres north of the northwest corner of 83<sup>rd</sup> Avenue and Olive Avenue from O-1/C-2 (Office/Commercial District) to PAD (Planned Area Development). The motion was seconded by Commissioner Compton and upon vote, the motion carried with a 4 to 1 vote with the following conditions:

1. The development of the site shall conform in all material respects to the approved Colonial 83<sup>rd</sup> & Olive Planned Area Development narrative, revised January 25, 2008 (stamp approved 3/4/08) except as modified by the following:
  - a. A landscape area of no less than 25 feet shall be provided adjacent to single-family residentially zoned properties located to the west and north of the subject site. The entire landscape buffer along the west and north property lines shall be enhanced with mature landscaping that includes double rows of trees at alternating intervals spaced 10 feet apart (20 feet spacing in each individual row). 50% of all trees within these areas shall be 36 inch box size, with the other 50% being 24 inch box size. Requirements for 24-inch box trees in these areas shall not be used to meet on-site requirements.
  - b. Landscape buffers along the north and west property lines shall be enhanced with bollard lighting or other low level lighting to increase safety.
  - c. For buildings within one hundred feet (100') of the west and one hundred thirty feet (130') of the north property lines of the subject site, no windows or clerestory-type windows only shall be utilized on any building elevations

facing the single-family residences to the north and west.

- d. Elevations for all buildings within 100 feet of existing single family residential areas shall be enhanced with 'green screens' or other architectural features.
  - e. All trash enclosures shall be located a minimum of one hundred feet (100') from existing single family residential zoning district boundaries to the north and west of the subject site.
  - f. The jogging trail shown on the preliminary development plan shall be relocated to the landscape buffer area along the north property line. The trail shall be built to standards outlined in the Peoria Parks, Recreation, Open Space, and Trails Master Plan (Updated 2006) and shall be further enhanced with bollard lighting or other low intensity lighting to increase safety.
  - g. The Development shall conform to design standards set forth in the Draft, December 2007 Design Review Manual or any subsequent revisions as approved by the City Council. Standards listed in the Design Guidelines section of the PAD that are not in conformance with these standards shall be deleted.
  - h. The development site plan shall show 3 distinct building color palettes that shall be integrated within the entire site.
  - i. Primary and secondary project entry points shall be enhanced to prominently distinguish the project. The following elements shall be incorporated into the entries:
    - Landscaped median
    - Identifying building form such as a covered entry, prominent architectural feature, monument, or water features
    - Ornamental gates and/or decorative walls
    - Decorative lighting
2. The Developer shall work with City staff to design and construct a gateway feature along 83<sup>rd</sup> Avenue into the Old Town area. This feature shall include a prominent architectural feature such as a monument, obelisk, or other prominent feature as approved by the City.
  3. A Preliminary Drainage Report must be submitted with the site plan. Easements for Drainage are to be dedicated over all retention basins.
  4. An updated Traffic Impact Analysis (TIA) for the site is required to be submitted with the site plan.
  5. The Developer shall dedicate 65- foot half-street ROW along the frontage of the project on 83<sup>rd</sup> and Olive Avenue.
  6. The Developer shall dedicate an additional 10-foot ROW on Olive and 83<sup>rd</sup> Avenue within 500-feet of the intersection of Olive and 83<sup>rd</sup> Avenue.

7. The Developer shall dedicate an 8' PUE outside of the required ROW. No walls or retention shall be allowed within the PUE.
8. The Developer shall construct the half-street for 83<sup>rd</sup> and Olive along the frontage of the project. The roadway improvements shall include curb, gutter, sidewalk, and improvements identified in the Traffic Impact Analysis, and 8-foot sidewalks.
9. The Developer shall remove the irrigation ditch along the Olive Avenue frontage to 85<sup>th</sup> Avenue. This shall be accomplished through fill or piping depending on the needs once the agriculture use is eliminated from this site.
10. The Developer shall construct an 8-foot sidewalk along the Olive Avenue frontage to 85<sup>th</sup> Avenue once the irrigation ditch is removed as stated above.
11. The Developer shall construct a 16-inch waterline along the frontage of 83<sup>rd</sup> Avenue.
12. The Developer shall prepare a final plat to combine the two existing parcels and dedicate all ROW and easements. The final plat shall be submitted to the engineering department with the first submittal of the improvement plans.
13. If existing emergency access to the gas station is not required by either this project or the gas station, then the Developer shall design and construct (with the approval of the affected property owner) the removal of the concrete aprons and re-landscape the areas so the appearance of cross-access is removed.
14. The right-of-way (ROW) for Hatcher Road will be abandoned back to the property owner. This area shall be landscaped by the Developer in accordance with the Landscape Buffer standards as set forth in Article 14-35 of the Zoning Ordinance. The City will facilitate the abandonment and approve the improvements in the area to meet Crime Prevention Through Environmental Design (CPTED) standards. Any fencing constructed by the Developer shall be wrought iron to allow visibility of this area from the project.
15. The Developer shall also design, construct, and maintain landscaping and pedestrian access within the ROW from 84<sup>th</sup> Avenue to the western boundary of this project along the Hatcher alignment. This is required to facilitate the pedestrian connection to the elementary school.

**NEW BUSINESS, PUBLIC HEARINGS and/or ACTION:** NONE

**CALL TO THE PUBLIC FOR NON-AGENDA ITEMS:** NONE

**REPORT FROM STAFF:** Mr. Daines introduced and welcomed Ms. Ellen Van Riper, Assistant City Attorney, to the Planning Commissioners. Mr. Daines also announced that Ms. Caroline Ruiz, Planner, has resigned and thanked her for contributions.

**REPORT 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 6:50 p.m.

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Greg Loper, Chair

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Date Signed