

**CITY OF EL MIRAGE
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
March 11, 2014**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Planning and Zoning Commission Chairman Robert Jones called the meeting to order at 6:00 p.m. & led the Pledge of Allegiance.

II. ROLL CALL

Members present were Robert Jones, Frank Carnal, Brian Crosby, Monica Dorcey and Justin McCarty. City staffs present were Jorge Gastelum, Director of Development & Community Services/City Engineer, Jose A. Macias, GIS/Development Services Coordinator (DSC), and Tom Doyle, Economic Development Specialist.

III. APPROVAL OF THE MINUTES OF

There being no changes, Carnal made a motion to approve the minutes of the November 12, 2013 hearing, seconded by Dorcey, and the motion passed with a vote of 5 to 0. Carnal asked if and when the June 11, 2013 minutes were approved. Macias stated that he will follow up and report back.

IV. OLD BUSINESS

None

V. NEW BUSINESS

None

VI. PUBLIC HEARING ITEM

1. Conditional Use Permit request from Grace Church of Arizona for a Religious Assembly in a Rural Area zoning district at 13000 W. Wolfley Drive.

Jones opened the public hearing; Macias made a correction to the agenda item stating the conditional use permit was in an RA Rural Area zoning and not a Commerce Park as written in the published agenda. Macias presented a PowerPoint presentation for the conditional use permit.

Crosby asked if both entrances and exits were on Wolfley Drive and nothing on Varney Road, Macias confirmed. Crosby asked about types of services, times and the impact on traffic, Macias deferred the question to the applicant to answer the questions. Pastor Manual Mendivil gave a brief history on the church and answered the question regarding the traffic impact stating that the main traffic will occur on Sundays, with little traffic during the week for smaller planned activities.

Dorcey asked if they will continue the outreach program of giving out free clothes, Mendivil stated that at the present time they are not running the outreach program and if they did at the new location, it would not impact the neighborhood traffic. Dorcey asked what the timeline for all three phases to be built was, Mendivil answered as soon as possible, and wants phase one up and will work with the City and neighbors to make a pleasant place.

Carnal asked why interviews with the neighbors were not included in the environmental study; Mendivil deferred the question to the project architect, Larry J. Warner to respond. Warner mentioned that environmental studies only deal with environmental issues of the project site. Carnal asked City staff how many churches this will make in the Ranchettes area, Macias answered, six or seven.

Jones was concerned about the width of the street and asked if the City has any plans to widen the street, Gastelum stated that the City has no plans to widen the street at this present time, and stated that during the plan review process parking will be addressed and anticipates no cars parking on the street. Jones asked if the traffic study included the impact of the new church being built on Desert Cove Road, Pastor Mendivil stated no, that the church on Desert Cove Road was far enough that it would not impact his church traffic.

John Eckhart, a resident of the Dysart Ranchettes spoke in favor of the church.

Ilene Wolfley, a resident of the Dysart Ranchettes, asked for clarification of a conditional use permit, Macias answered.

Cathy Henderson, a resident of the Dysart Ranchettes spoke not in favor of the conditional use permit, and mentioned that she did not receive a notice in the mail. Jones asked City staff what the protocol was for sending out notice letters. Macias answered that the City follows state law requirements of posting a notice in a local newspaper and mailing out letters to neighbors two hundred feet from the project site fifteen days prior to the hearing date and that City keeps a list of those notified. McCarty asked if the City keeps a list of neighbors notified, Macias stated yes and a copy of the list is in the file folder.

Mendivil made a statement regarding the property value and that the church will increase values not decrease. Jones asked what the number of parking spaces the church will have, Mendivil answered forty-eight for the first phase and seventy at build out. Mendivil added that they will work with the community to ensure that no parking will be on the streets and if they grow too large they would find a new site and move.

Henderson questioned the number of parking spaces, that seventy spaces were not enough for two hundred and eighty members.

Fernando Garcia, an El Mirage resident spoke in favor of the church and thanked the Commission Members for reviewing and considering the church.

Andrew Mendivil, associate Pastor for Grace Church spoke in favor of the church and suggested that they can offer multiple services on Sundays to minimize traffic.

Dorcey asked for clarification on how many families would make up two hundred and eighty members, Mendivil stated that families show up with four to five members in a car and that the parking ratio is based on the City code of one parking space for four people. Dorcey asked how many families the church has now; Pastor Manual Mendivil deferred the question to Co-Pastor Lucy Mendivil, where she stated that there are fifty families' members of the church, but that not all attend the services at once.

Crosby asked if in the event of traffic becoming an issue what is the recourse or City action, Macias stated that it becomes a police and code enforcement issue and may cause the revocation of the conditional use permit.

Commission Chairman Jones closed the public hearing, asked for a vote on the conditional use, Carnal made a motion to accept the conditional use for a religious assembly, seconded by Crosby, motion carried with a 5-0 vote.

2. An addition to City Code Section 154.126 Definitions and amend City Code Section 154.129 Regulations by Zones, (C) Business and Industrial Zones, (12) Billboards and other off-premises signs.

Jones opened the public hearing; Macias presented a PowerPoint presentation for the City Code additions and amendments.

Jones asked how this compares with adjoining cities, City of Surprise, Macias stated that he was not familiar with the City of Surprise digital ordinance, but that he researched the City of Tolleson, Glendale and Phoenix. Jones asked if the statement made by staff was that the lights would turn off by eleven pm, Macias confirmed the statement that the lights would be off by eleven. Dorcey asked if the sign down by the river near the Quick Trip (QT) was in compliance with the ordinance, Macias reminded Dorcey that that digital sign was in the Youngtown city limits and not a part of the ordinance.

There was a discussion about the number of billboards in the city; Macias mentioned that currently there are two digital signs on Grand Avenue, one above City hall another at the El Mirage Road alignment and Grand Avenue and several static signs along the rest of Grand Avenue and one on Northern Avenue. Jones asked if the existing digital signs are being turned off at eleven, Macias stated that they were not. Jones asked if this ordinance would affect the current digital signs, Macias stated that he did not know and he would research it.

Dorcey stated that there should be clarification of existing grandfathered signs. Crosby asked why we are not allowing the replacement of static signs with digital signs on Grand Avenue; Macias deferred the questions to Gastelum to answer. Gastelum stated that for safety reasons the City wants to limit the number of digital signs on major roads. Crosby made a statement that he would be ok with more digital signs on Grand Avenue, as long as they fall within city guidelines, Gastelum mentioned that City State will research it and have answer for next meeting.

Gastelum added that another reason for the amendment to the ordinance was because of a request from the John F. Long ownership.

Jones asked the Commission members if they felt comfortable to bring a motion, McCarty made a statement that in the form the ordinance is written they could not move forward if there's still some inconsistencies with digital and static standards and the details should be ironed out, Jones agreed and asked for more thoughts from the Commission members. Carnal asked if the two digital signs on Grand Avenue will be grandfathered or will fall in compliance, Macias stated that City Staff can research and have an answer for the next hearing.

Jones asked City Staff to look into whether the existing digital sign will comply or be grandfathered. McCarty stated City Staff should consider the width of the road and usage.

Jones tabled the item until next month's hearing, no vote required. Macias asked to verify items Commission members would like to be researched; 1) Are the exiting digital billboards on Grand Avenue are going to be in compliance, 2) If static billboards can be replaced with a digital board.

VII. DISCUSSION ITEM

Carnal thanked Macias and the rest of the City staff for the work put into the Commission hearing process.

Jones specially commended City staff for preparing the agenda packet; it was very informational and answered a lot of questions. Macias added that the Development Process was revised to provide more information from the applicants.

VIII. STAFF REPORT

Gastelum reported that the site plan for the Family Dollar Store was approved by City Council in January, and staff is waiting on plans.

Macias stated that Wal-Mart submitted plans for general remodeling.

Dorcey asked if the Family Dollar Store was going to occupy the entire parcel on south side of Thunderbird Road, Gastelum stated that the site will be a combination of two parcels with the width of 260' by 150' and an open space for a public plaza.

Carnal asked how Dairy Queen is coming along; Gastelum stated that the City is in communications with the developer, but has not received any plans.

IX. COMMISSIONER COMMENTS

No comments from the Commissioner, again thanked City staff on the agenda packet, it was very informative and helped with making decisions.

X. ADJOURNMENT

Planning and Zoning Commission Chairman, Robert Jones, adjourned the Commission meeting at 6:58 p.m.

Jose A. Macias, GIS/DSC

Robert Jones, Chairman