

CITY OF LITCHFIELD PARK

PLANNING AND ZONING COMMISSION

Regular Meeting
Tuesday, September 14, 2021
7 p.m.

Virtual Meeting
Watch on You Tube via the following link:
<https://youtu.be/pOhLc92hkeg>

IN-PERSON ATTENDANCE AT PUBLIC MEETINGS HAS BEEN SUSPENDED UNTIL FURTHER NOTICE. NOTICE IS HEREBY GIVEN PURSUANT TO A.R.S. §38-431.02 THAT MEMBERS OF THE PLANNING AND ZONING COMMISSION WILL ATTEND BY AUDIO/VIDEO CONFERENCE CALL.

I. Call to Order

THIS MEETING WILL BE HELD BY REMOTE PARTICIPATION. CALL TO THE COMMUNITY WILL NOT BE HELD.

1. Zoom Conference

- a. Computer: <https://us02web.zoom.us/j/89058776741> Meeting ID: 890 5877 6741
b. Telephone: 1 669 900 6833 or 1 253 215 8782 Meeting ID: 890 5877 6741

II. Call to the Community

Information

(This is the time for citizens who would like to address the Commission on any non-agenda item. Action taken as a result of public comment will be limited to asking Staff to review the matter, asking that the matter be put on a future agenda, or responding to criticism.)

III. Business

A. Public Hearing: Request to Renew a Use Permit to Allow the Continued Placement of Modular Buildings on the St. Peter's Episcopal Church Campus, Located at 400 S. Old Litchfield Road

Information

1. Staff Report
2. Applicant Presentation
3. Public Comments

Citizens may ask questions or speak for or against an application for a Use Permit Renewal for the continued placement of modular buildings on the St. Peter's Episcopal Church Campus, located at 400 S. Old Litchfield Road.

B. Request to Renew a Use Permit to Allow the Continued Placement of Modular Buildings on the St. Peter's Episcopal Church Campus, Located at 400 S. Old Litchfield Road

Information
Action

Discussion and possible recommendation to City Council to approve the renewal of a Use Permit for the continued placement of modular buildings on the St. Peter's Episcopal Church Campus, located at 400 S. Old Litchfield Road.

C. Zoning Code Update

Information

Review, discussion, and possible direction to Staff regarding the ongoing Zoning Code review and update.

D. Design Review Board/Board of Adjustment Update

Information

Update on the Design Review Board/Board of Adjustment meetings held on August 5 and September 2, 2021.

E. Topics for Referral to City Council

Action

Discussion of and possible referral of new topics to the City Council.

F. Minutes

**Information
Action**

Possible approval of the minutes of the July 13, 2021 Meeting.

IV. Staff Report on Current Events

Information

This is the time Staff may present a brief summary on current events. The Commission may not propose, discuss, deliberate or take any legal action on the information presented, pursuant to A.R.S. § 38-431.02.

V. Executive Session

Action

An Executive Session may be called during the public meeting on any item on this agenda pursuant to (i) A.R.S. § 38-431.03(A) (3) for the purpose of receiving legal advice.

VI. Commissioners' Reports on Current Events

Information

This is the time Commissioners may present a brief summary on current events. The Commission may not propose, discuss, deliberate or take any legal action on the information presented, pursuant to A.R.S. § 38-431.02.

VII. Adjournment

Action

David Ledyard, Chair

Persons with special accessibility needs should contact City Hall, 623 935-5033 at least 48 hours prior to the meeting.



Meeting Date: September 14, 2021

To: Planning and Zoning Advisory Commission

From: Jason Sanks, Planning Consultant

Subject: Use Permit for the continued use of three manufactured buildings at St. Peter's Episcopal Church, located at the northwest corner of Old Litchfield Road and Ancora Drive

BACKGROUND AND OVERVIEW

St. Peter's Episcopal Church has been on this property for approximately 50 years. As the church has grown, it developed a Montessori School on the property. The development of the school prompted the Church's interest in the use of more affordable, manufactured buildings for school operations. The use of a manufactured building or buildings in the Public Facility zoning district is allowed, subject to City Council approval of a Use Permit. About sixteen years ago, the Church applied for its first Use Permit to allow the installation of a manufactured (modular) building for use as a classroom. The approval was made for a period of five years. On February 17, 2010, the City Council approved the addition of two additional modular buildings (total of three) since the Montessori School had grown and needed the additional space. No additional buildings are proposed at this time and the Church is seeking to basically renew its Use Permit for continued use of the modular buildings. In 2016, The City Council re-approved the Use Permit to allow the modular buildings for another 5-year period.

For reference, Section 33.01 of the Zoning Ordinance states that the purpose of Use Permits is to:

- a. Allow certain uses that would otherwise not be permitted in a zoning district due to negative impacts on adjacent uses and the community, so long as those uses comply with conditions of the use permit.
- b. Provide the process for periodic review of use permits to assure conformity of such uses to the public welfare.

The City Council's 5-year time limit on their 2010 and 2016 approvals allowed the school to grow and operate in the more affordable modular buildings than would otherwise be possible in site-built structures. Staff has not received any negative comments regarding the facility since installation of the structures and therefore recommends not including a five year time limitation on this Use Permit application. If any issues were to arise related to the modular buildings, Staff can monitor these issues and bring them to the attention to the City Council if necessary.

STAFF RECOMMENDATION

Staff recommends approval of the Use Permit to allow the ongoing use of modular buildings at St. Peter's Episcopal Church, subject to the following conditions:

1. The modular buildings shall remain in place in accordance with the Use Permit application dated July 7, 2021.



THE CITY OF
Litchfield Park

USE PERMIT RENEWAL

**FEE: Due at time of application.
Fees are set on City Fee Schedule**

Address and/or Location: 400 S. Old Litchfield Rd., Litchfield Park AZ 85340

APPLICANT INFORMATION:

Name (Print): St. Peter's Episcopal Church and Montessori School

Address: 400 S. Old Litchfield Rd., Litchfield Park AZ 85340

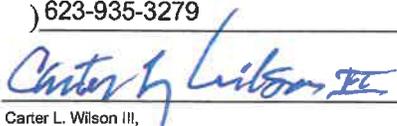
Phone: () 623-935-3279 Email Address: office@stpetersaz.com

PROPERTY OWNER:

Name (Print): St. Peter's Episcopal Church of Litchfield Park

Address: 400 S. Old Litchfield Rd., Litchfield Park AZ 85340

Phone: () 623-935-3279 Email Address: office@stpetersaz.com

Signature:  Date: 7-7-2021

Carter L. Wilson III,
for St. Peter's Episcopal Church of Litchfield Park

I hereby certify that the information contained herein is correct and that I am authorized to file an application on said property, being either the owner of record or authorized to file on behalf of the owner.


APPLICANT'S SIGNATURE

7-7-2021
DATE

Pre-hearing Consultation: has been held is requested (date: _____) is waived

The City will schedule and hold two public hearings at which the applicant or the applicant's representative **must** be present. (If a representative will be attending, a letter from property owner giving permission for representation must be included.)

Prior to being scheduled for any City Public Hearings, the applicant must publicize and hold a Citizens Review meeting for all property holders within 1000 feet of subject property. City Staff must approve of process. Please contact the City Planning Department at 623-889-6205 for information.

USE PERMIT RENEW APPLICATION

Page 2

Address and/or Location: 400 S. Old Litchfield Rd., Litchfield Park AZ 85340

Attach a separate sheet for answers if necessary.

1. Purpose of Request: To maintain and continue operating the Montessori School, Pre-K, and Toddler programs consisting of three modular buildings located on church property that is currently zoned Public Facility (PF). St. Peter's Church and Montessori School has operated in Litchfield Park since 1965.

2. Is the use being requested consistent with the Use Permit previously approved? yes If not, please provide an explanation of the differences. _____

3. How is the use consistent with other adopted plans for the property? Consistent with current and continued use of property. Buildings are current permanently located on the property with stucco exterior and replaced flooring and roofing and are intrinsically connected.

4. How does the use meet development standards? The school property blends with the church and other properties surrounding and is consistent with current zoning.

5. How is the use consistent/compatible with the character of adjoining and nearby properties and the district as a whole?
a. Does the use increase traffic in the area? YES NO
Explanation: No traffic increase over current use.

b. Does the use increase odor, dust, gas, vibration, smoke, heat, or glare in the immediate area? YES NO
Explanation: _____

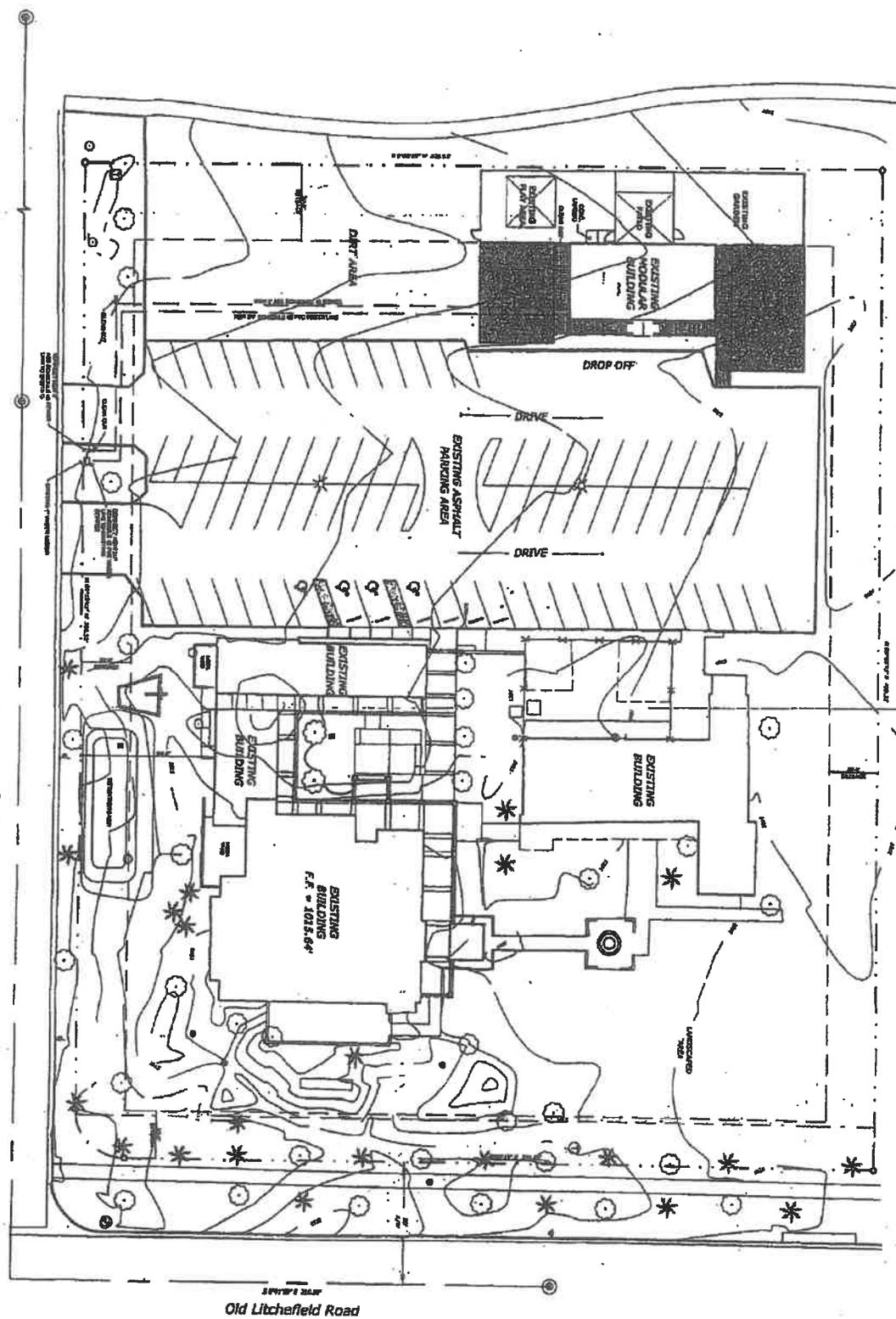
c. Does the use contribute measurable to the deterioration of the area? YES NO
Explanation: _____

d. Does the use lower property values? YES NO
Explanation: _____

THESE ITEMS MUST BE INCLUDED WITH THE APPLICATION:

- A READABLE SITE PLAN on 8.5" X 11" or 11" X 17" paper.
 1. Must be drawn to scale and show all property lines and setback lines.
 2. Identify bordering streets and alleys.
 3. Show location of all existing and proposed buildings/structures with dimensions to property lines and/or other structures on site.
 4. Clearly distinguish between existing buildings/structures and proposed new buildings/structures.
 5. If use will increase parking need on site, indicate how additional parking needs will be accommodated.
- Additional information may be required by City Staff.

Revised 12/11/10



SITE PLAN
 1/10

DATE: 09.02.09
 DRAWN BY: JF
 CHECKED BY: STW
 APPROVED BY: 0913
 SCALE: AS SHOWN
 SHEET: SITE PLAN

NEW MODULAR CLASSROOM BUILDINGS
**ST. PETER'S
 EPISCOPAL CHURCH**
 400 S. OLD LITCHFIELD ROAD
 LITCHFIELD, ARIZONA

C C B G Architects, Inc.
 102 E. Buchanan Street Phoenix, Arizona 85004
 T: 602-255-2211 F: 602-255-0809

DESIGN REVIEW BOARD/BOARD OF ADJUSTMENT UPDATE

The following items were acted on at the August 5 and September 2, 2021 Design Review Board Meetings

- ❖ **515 Cercado**: An application for an addition and exterior remodel on this home had been brought before the Board at a previous meeting. After discussion with the applicant, the Board noted they did not feel the plans were sufficient enough for action to be taken, and the item was continued. Subsequently, the applicant submitted a new set of plans and was back before the Board. The applicant was seeking to add a new, recessed front facing garage to the side of the home, while retaining the existing turn in garage. New, livable square footage would be added to the home as well as a new covered patio. The exterior of the home will be remodeled by adding a smooth stucco finish, stone veneer accents a modified taller roofline and ridge height. It was pointed out the new height was not indicated on the plans submitted. The homeowner reached out to his architect and the height was provided. The application was approved.
- ❖ **141 Capilla Circle**: This homeowner was seeking approval to change their roofing material from asphalt shingles to cement tiles. It was noted that the color of the proposed tile matched nicely with the home, and the application was approved.
- ❖ **413 Palm**: The applicant was seeking design approval for a small addition to the existing home. The homeowners were doing an interior remodel as well. The application was approved with the condition that all colors, finishes, building materials, roofline elevation and other architectural features are to match those of the existing home.
- ❖ **4838 Litchfield Knoll**: The Board approved this application to add a small addition for livable space to the front of this home. The addition will include a new hallway, two small bedrooms and storage space. Conditions added to the approval were that all colors, finishes, building materials, roofline elevation and other architectural features are to match those of the existing home.
- ❖ **565 Campina**: The Board had reviewed an application for a small addition and exterior remodel at this home in December. At that time, the applicant had also proposed an accessory casita structure for the rear yard that was larger than the 500 square feet allowed. The homeowner reduced the size of the casita and was now proposing another addition to the home. The application was approved with the condition that the colors, finishes, building materials, roofline elevation and other architectural features are to match those of the existing home.
- ❖ **404 Cabrito**: This applicant was seeking design approval of a new roof parapet wall that will screen duct work that had been added to the roof of the residence. It was noted that the parapet would be stuccoed and there were different finish materials, such as block, on the exterior walls of the home. The application was approved with the condition that stuccoed parapet wall is to be offset when butting up with a different wall material.

- ❖ **Self-Storage Facility Proposed for the Monument Point Center:** Site, architectural, landscape and lighting plans were reviewed by the Board for a large three-story indoor climate controlled self-storage facility proposed to be located across three lots within the Monument Point Center. The lots, which are located behind the Christian Brothers and Burger King facilities, will be combined through a separate process to create one parcel. One of the lots fronts onto El Mirage Road and the storage facility will face onto that road. The building design and architecture will be somewhat contemporary or modern, with an earth tone and aluminum finish palette to break up its inherently large 129,501 square foot building mass. The application was approved with the condition that the final plat amendment to combine the three lots must be approved by the Council prior to the issuance of building permits.

- ❖ **Litchfield Square (City Center) Restrooms:** City Engineer, Woody Scoutten, who is also serving as the project manager for the City Center project (now named Litchfield Square), was seeking a recommendation of approval to Council for the park restroom designs. The Board recommended that Council approve the plans.

- ❖ **Litchfield Square Paving Materials, Pedestrian Lighting, and Monument Signs:** A joint study session was held with the Recreation and Public Grounds Commission prior to the Design Review Board's regular meeting on September 2 to discuss proposed designs for the Litchfield Square paving materials, pedestrian light fixtures, and monument signs. Following the study session, the regular Design Review Board meeting commenced and additional discussion on these items was held. Following the discussion, the Board recommended Council approve the monument sign design that included a CMU block base with stone veneer, a cream stucco finished base with rustic brown metal lettering, and a rustic brown metal panel with an internally illuminated City logo. The pavement materials were also approved with the exception of the Verona option. The Board asked to see pictures of the paving material in the colors that will be used and to also see another option. The Board also did not make a recommendation on the pedestrian lighting and asked to see the options that had been provided in the actual colors they will be finished in and that another option be included. The Board asked that the options/items request be presented in a conceptual rendering of the Litchfield Square, and with the restroom design that had been previously approved. There were some comments regarding using the palm tree/orange tree patterns within the site, and it was noted that low water use landscaping should be used in the City right-of-way. It was decided to schedule a special meeting at which the items requested could be presented.

**MINUTES OF THE SPECIAL MEETING
OF THE LITCHFIELD PARK PLANNING AND ZONING COMMISSION
July 13, 2021**

I. Call to Order

The meeting was held online via Zoom and called to order at 7:03 p.m. by Chair Ledyard.

Members Present: Chair Ledyard, Vice Chair Faith, and Commissioners Alvey, Darre, Fraser, Lawrence, and O'Connor (joined the meeting at approximately 7:50 p.m.).

Members Absent: None.

Staff Present: Jason Sanks, Planning Consultant; Pamela Maslowski, Director of Planning Services; Woody Scoutten, City Engineer; and Dawn Morocco, IT Assistant.

II. Business

A. City Center Development Update

Mr. Scoutten provided an overview of the progress of the City Center Development along with a PowerPoint presentation. His presentation included:

- Litchfield Square was chosen to be the name of the new development.
- The site plan is basically the same that was presented to Council by Destination LP, with some minor changes.
- The Phase One improvements will include:
 - All the improvements on Litchfield Road, including the round-a-bout.
 - Extension of Village Parkway, into the project, to the Desert Avenue alignment.
 - The first phase of the park.
- Development of the park will be split into four phases.
- A construction Manager at Risk (CMAR) was hired early in the process to help with cost estimating, value engineering, and other ideas to make the project better.
- When ready to start construction the CMAR will provide a Guaranteed Maximum Price (GMP).
- Mr. Scoutten provided what is included with the GMP Phases 1 through 5, and explained what is involved with each step. He noted that GMP #1 was approved by Council at their June meeting. That portion of the project has begun and includes preparing the site for construction; installing the sanitary sewer system, mass grading most of the site, and ordering items that require a long lead time.
- The overall project is estimated to cost \$26 million.
- The project financing was explained, including selling bonds; a bid process; the formation of a Community Facilities District (CFD); selling six parcels to developers; the CFD acquiring the infrastructure from the City; the CFD gradually acquiring the infrastructure; retiring the bonds; and developers paying a CFD tax to retire the CFD bond. Parcel sales and revenue from the CFD will support GMP Number 5, which includes items wanted, but not necessarily needed at this time. Also, CFD taxes will support the operation and maintenance of the project.

In response to questions, Mr. Scoutten provided the following:

- He indicated the location and description of a proposed clock tower. He stated that the Clock tower will be known as the Paul Litchfield Clock Tower, and there will be some type of plaque providing information regarding his contributions to the Litchfield Park area. There is also an idea of using some of the walls to convey historical City information. Another item under consideration is

providing the history of Luke Air Force Base in different areas for people to see as they walk around. Previous discussions were held regarding including a carousel in the park, but that will probably not happen due to maintenance concerns. These details will be worked out over the next few years as the Center develops.

- The design speed for the Litchfield Road round-a-bout is 20 MPH. The street curves dramatically to help people realize they need to slow down and to position them to see oncoming traffic. A traffic study was done regarding both a four-way traffic signalized intersection and a round-a-bout. It was found that both would be able to handle the traffic today and the anticipated volume.
- There will probably be three to four parking garages. If the project is as successful as hoped, there will be about 400,000 square feet of mixed-use space with a need for 1,900 parking spaces. There will be room for about 700 spaces on the ground, so there will be a need for three to four parking garages with three levels. Shared parking has been discussed, and there has been talk about relaxing the requirements for restaurants. Reserved parking for uses such as condominiums will have to be discussed with each developer. Mr. Sanks added that the City Center zoning allows the Council latitude with parking requirements for the City Center District on a case-by-case basis when a parking demand study is submitted.
- The project will adhere to the City's screening requirements for any kind of surface parking lot. As for the parking garages, the effort will be to have them blend in with the other buildings so they do not look like parking garages. Mr. Sanks added that parking garages and screening were contemplated when the Zoning Code City Center Zoning District was created, and there are design guidelines in place to ensure that developers and the City coordinate for screening mechanisms.

B. Zoning Code Update

Mr. Sanks stated that Susan Goodwin has been retained on a post retirement basis to continue working on the Zoning Code update. There were a number of pauses on this project in the last few years due to the City Center project, the Sun health project, and Covid-19 issues. At this time, the Commission has gone through much of the land use items. Ms. Goodwin has been updating the legal portions of the Code, making sure the City is in compliance with any new regulations. One item that still needs to be reviewed is parking requirements. Times have changed and the need for non-residential parking has somewhat declined. People are ordering more items on line, like food for delivery or using the take-out option. The need for personal vehicles to be parked and left on commercial properties has diminished. The question now is whether or not the large parking lots are still needed. He would also like input from the Commission regarding electrical vehicle parking stations and if parking lot shade structures should be allowed to accommodate photovoltaic panels.

Mr. Sanks provided a PowerPoint presentation while discussing each item:

- Parking:
 - A chart was displayed that included land uses and the corresponding number of parking spaces required in Litchfield Park, the changes he is proposing, and requirements in the Cities of Avondale and Queen Creek.
 - The current requirements for a number of different uses were noted, and Mr. Sanks explained what he is proposing and why he is suggesting the changes.
 - The Fry's Center has a large number of parking spaces, and the lot does not seem to be full at most times. In other jurisdictions, Fry's has started developing the portion of the parking lot that is not needed into another commercial use.
 - Based on what has been currently happening in the City, there appears to be a need to increase the parking requirements for vehicle body shops.
 - The Zoning Administrator, or designee, could review and approve reductions in parking based upon a parking justification narrative. This is being done in other cities.
 - Parking maximums could be considered, as is done in other cities.

- Parking requirements for unspecified uses should probably remain subject to the Zoning Administrator's interpretation.
- The City Center Zoning District would still be subject to code requirements, or as otherwise modified by City Council through a parking demand study to be reviewed by the City Engineer, who is currently serving as general manager of the City Center.
- Electric Vehicle (EV) Requirements:
 - It is estimated that up to 50% or more of vehicle sales by 2030 will be electrified.
 - He would like the Commission to consider whether to require EV charging stations in all non-single-family zoning districts; basing requirements on the size of the development; or, allowing the market to decide. As the need arises, developments might begin providing the charging stations as their customers/residents desire it.
- Solar Voltaic Shade Canopy Parking Standards:
 - The City could encourage solar shade for required parking areas.
 - If approved, building setbacks, design standards, and signage standards should be established.
 - There should be consideration of not having those structures count against the maximum lot coverage, so property owners are not penalized for putting these in. One city interprets these structures as equipment rather than structures so they do not count against the maximum lot coverage.

Mr. Sanks noted he would like the Commission's input on these items.

Discussion included:

Commissioner Lawrence noted that the next vehicle she purchases will probably be an electric vehicle or hybrid of some kind. She also uses a bicycle to ride around the City. She has friends that visit and they look specifically for restaurants on the trip in that have charging stations so they can charge their vehicle while they eat. It would probably be an advantage to the commercial entities if there is a charging station nearby. She likes the idea of solar and the shade cover in parking lots makes a lot of sense. She tries to get a shady spot when parking.

Commissioner Alvey noted that she agrees. Her family owns a vehicle that is a hybrid, but does not need to be plugged in. Their other vehicle is a hybrid that gets plugged in, but also uses gas. The biggest problem taking that vehicle on trips is being worried that there will not be a place to plug it in to charge it. The City should be pro-active in requiring charging stations because the car manufacturers are being required to make more electric vehicles and charging stations will be needed. She also agrees with allowing the solar shade structures in parking lots. She knows that the panels can become outdated in a few years, but the structures will still provide shade. As far as using the Queen Creek requirements, parking can be a nightmare there sometimes in the winter. The number of people here in the winter time increases quite a bit, and so does the need for parking spaces. It would be good to use the type of use as a consideration for reducing the requirements. It does make sense to utilize space efficiently and effectively.

Commissioner Fraser commented that parking maximums and shared parking requirements are good ideas. The City does not have high capacity transit available out here. Fry's does have too much parking, and anything that can be done to make parking requirements less onerous and utilizing less asphalt is a good thing. Within the context of Litchfield Square, it would be a good idea to require electric charging stations for the multi-family residential units. He does agree that the shade canopies that accommodate solar panels should not count against the maximum lot coverage.

C. Design Review Board/Board of Adjustment Update

Commissioner O'Connor noted the report was included in the agenda packet. Commissioner Lawrence noted that a number of items being reviewed were regarding the color palette and suggested that it

might be time to revisit that issue. The Board of Adjustment included two items where residents began building without obtaining a building permit. She wondered if there was a way to make people more aware of building permit requirements. Ms. Maslowski noted that Staff can look into ways to get the word out regarding what is required. Chair Ledyard explained that there are many colors included within the color palette and that only the colors that are not included are brought before the Board. Commissioner O'Connor commented that Staff administratively approves many applications for colors that are within the approved color palette, and the Board does not see those applications.

D. Topics for Referral to City Council

There were no topics referred.

E. Minutes

Commissioner Lawrence **moved** to approve the minutes of the May 11, 2021 minutes as amended; Commissioner O'Connor **seconded; unanimous approval.**

III. Staff Reports

Mr. Sanks reported on the progress of the Dysart and Camelback Center, the Sun Health La Loma Campus, and the Monument Point Center.

IV. Commission Reports

Commissioner Lawrence inquired as to when in-person meetings will be resumed. It was noted that the Covid-19 virus is still around and spreading. Ms. Maslowski responded that, at their next meeting, the City Council, will be considering whether or not to resume in-person Council meetings in September.

V. Adjournment

Commissioner Darre **moved** to adjourn; Commissioner Lawrence **seconded; unanimous approval.** The meeting was **adjourned** at 8:39 p.m.

APPROVED:

PLANNING & ZONING COMMISSION

David Ledyard, Chair

/pm