

CITY OF LITCHFIELD PARK

PLANNING AND ZONING COMMISSION

Regular Meeting
Tuesday, July 9, 2019
7:00 p.m.
Litchfield Park Branch Library
Community Room
101 W. Wigwam Boulevard
Litchfield Park, Arizona 85340

Members of the Litchfield Park Planning and Zoning Commission may attend either in person or by telephone conference call.

- I. **Call to Order**
- II. **Pledge of Allegiance**
- III. **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.)
- IV. **Business**
 - A. **Major General Plan Amendment (GPA #19-01) Proposed for Properties Located at the Northeast Corner of Wigwam Boulevard and Litchfield Road** **Information**

Presentation, review, and discussion regarding a Major General Plan Amendment (GPA #19-01) proposed for properties located at the northeast corner of Wigwam Boulevard and Litchfield Road. The amendment would include a text amendment to create a City Center Land Use designation, repeal the 1996 Village Center Specific Plan, and amend the land use map to change approximately 29 acres of City-owned property in the downtown area to a "City Center" land use designation.
 - B. **Design Review Board/Board of Adjustment Update** **Information**

Update on the June 6, 2019 Design Review Board and Board of Adjustment meetings.
 - C. **Topics for Referral to City Council** **Action**

Discussion of and possible referral of new topics to the City Council.
 - D. **Minutes** **Information
Action**

Possible approval of the minutes of the May14, 2019 Special and Regular Meetings and the June 11, 2019 Regular Meeting.
- 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. **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.

VII. 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.

VIII. Adjournment

Action

Frank Ross, Chairman

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

General Plan Amendment Narrative

GPA 19-01 City Center Major GPA – Text and Map Amendment

Location: NEC Wigwam Blvd and Litchfield Road

Initiated by: City of Litchfield Park

PURPOSE OF REQUEST

The City of Litchfield Park has initiated a major General Plan Amendment as part of an ongoing process to facilitate development in the downtown area of Litchfield Park.

The intent of this application is to accomplish three primary objectives:

- 1) Text Amendment to the City of Litchfield Park 2010 General Plan to create a “City Center” land use designation.
- 2) Repeal the 1996 Village Center Specific Plan
- 3) GP Land Use Map amendment to designate approximately 29 acres of City owned property in the downtown area to “City Center” (See Exhibit A)

BACKGROUND

This request follows an 18-month public outreach and downtown planning effort for the City Center by Destination LP. The Destination LP process resulted in the City Council acceptance of their plan documents, including Design Guidelines, for future downtown development. Through that process, City staff and others noted that the establishment of specific entitlement related items, including this major GPA request, would follow as part of the path to foster City Center development.

Over the past several years, the City has acquired several parcels along Wigwam Boulevard and Litchfield Road in order to consolidate ownership and control of property deemed strategically important for development of the City’s downtown area. The parcels obtained by the City are all planned for the City Center area and encompass a total of 29.46-acres. This acreage is the subject of the map amendment component of this application and is the first formal submittal filed on behalf of the City of Litchfield Park in a multi-step process that involves updating and amending the City’s General Plan and Zoning Ordinance.

DESCRIPTION AND JUSTIFICATION REQUEST

1. **Provide a general, but thorough, narrative that describes the requested change and the reason for the request. Provide supporting data, including calculation of acreage and projected number of dwelling units for residential and proposed square footage of commercial/retail in each proposed land use category.**

See “Purpose” and “Background” above.

2. If map amendment, indicate the existing and the proposed General Plan Land Use designation(s).

In addition to amending the text of the General Plan to create the “City Center” land use designation, this application includes a request to change the land use designation of 29 acres of commercially designated property to the new City Center land use designation. The 29 acres of property is comprised of eight separate parcels and are all owned by the City. These land use designations also lie within the area of the Village Center Specific Plan. The parcel details are as follows:

Parcel No.	Parcel Size	Location	Designation	Zoning	Property Owner
501-68-414D	239,194 SF (5.49-acres)	NEC Litchfield Rd & Wigwam Blvd.	Commercial	NC	City of Litchfield Park
501-68-012S	362,168 SF (8.31-acres)	NWC Desert Ave & Honeysuckle St.	Commercial	NC	City of Litchfield Park
501-68-113A	96,043 SF (2.20-acres)	NEC Cottonwood St. & La Loma Ave.	Commercial	NC	City of Litchfield Park
501-68-974	190,415 SF (4.37-acres)	NWC Old Litchfield Park Rd & Honeysuckle St.	Commercial	NC	City of Litchfield Park
501-68-975	81,291 SF (1.86-acres)	NWC Cottonwood St. & La Loma Ave.	Commercial	NC	City of Litchfield Park
501-68-976	72,244 SF (1.65-acres)	SEC La Loma Ave & Fairway Dr.	Commercial	NC	City of Litchfield Park
501-68-977	82,250 SF (1.88-acres)	SWC La Loma Ave & Fairway Dr.	Commercial	NC	City of Litchfield Park
501-68-414A	159,778 SF (3.66-acres)	214 W. Wigwam Blvd	Commercial	NC	City of Litchfield Park
TTL ACREAGE	29.42				

3. In what way does the existing plan inadequately provide suitable alternatives for this request?

The Village Center Specific Plan that was adopted in 1996 is no longer as relevant as it once was. Since that time, the vision for the downtown area has evolved and the City now desires a somewhat less “specific” plan for development, but rather better tools to foster development. Adopting a specialized land use designation of City Center, with a future associated zoning district and design guidelines, will provide better tools for implementation of the vision that includes the following concepts:

- Creation of a “Heart” in the middle of the City of Litchfield Park.

- Identify the City Center as a compact mixed-use designation that meets future market and business opportunities.
- Provide a downtown area that provides for both pedestrian and vehicular circulation systems.
- Create a center that allows for city-wide events, commercial/office/expanded resort/parking development while providing plentiful area for open space (natural shade, landscape, greenery, vegetation, walkways).
- Make access to the City Center convenient to locals and outside visitors.

4. How will this amendment affect property values and neighborhood stability?

The amendment is anticipated to have a positive impact on property values in the downtown area as it will promote development of otherwise vacant property. The downtown planning concepts include protecting nearby residential neighborhoods, therefore preserving their property values.

5. How will this amendment contribute to compatible neighborhood development patterns? Discuss in detail adjacent land uses, existing residential densities (if abutting existing/proposed residential development), and how the proposal will be compatible.

Development of the downtown area will provide numerous positive impacts on the surrounding neighborhoods, including the Wigwam Resort which is situated directly east of the downtown area. Wigwam guests will benefit from having a more complete destination experience in Litchfield Park with the addition of shops, restaurants, services, and civic events. Nearly all residents questioned on their interest in downtown development have indicated they want the property developed with a mixed-use character, but not too dense and traffic will need to be closely managed to protect the neighborhoods from cut-through traffic.

6. How will amendment contribute to an increased tax base, economic development and employment opportunity? Provide supporting data.

If the request seeks to change the land use designation from a commercial to a non-commercial land use designation, provide the estimate decrease in future annual sales tax revenue to the City of Litchfield Park. Provide supporting data

The land uses within the proposed City Center will ultimately provide a diverse portfolio of land uses that will increase sales tax revenue of the downtown area and generate employment opportunities. While this GPA amendment proposes the development of a new land use designation, the end result will still be of property predominately comprised of commercial related uses.

7. How will this amendment contribute to maintaining the City's Community Character as described in the City's General Plan?

The Community Character of the current General Plan states that goal of the City is to preserve the historical architecture and nature of Litchfield Park while supporting local community open space for activities and recreational amenities. The City Center designation will provide the opportunity to provide the type of uses that would encourage a healthy lifestyle and venue for both private and civic events. The City's Community Character emphasizes the need to "preserve the City's history by

identifying, protecting and documenting the rich past...”. The City Center designation will provide for a means of developing the area while utilizing the City’s draft City Center Design Guidelines that maintain that focus.

8. How will this amendment fulfill the intent of the Discussion section of the Land Use Element: “Specific attention should be given to preserving property values, creating revenue sources, and adding higher paying jobs to support the City’s fiscal well-being?”

The City Center designation will aid in preserving the City’s property values by respecting nearby residential neighborhoods while providing a clearer vision in development of the downtown area’s vacant property. This vision includes enhanced civic spaces for hosting Litchfield Park’s popular festivals as well as a significant amount of commercial development. This new hub of activity will create revenue sources to support municipal services and stimulate job growth. While the retail level jobs may not specifically be considered “higher paying”, downtown development will provide a destination that can better attract the environment that those with well-paying jobs tend to expect.

9. How will this amendment affect existing infrastructure of the area, specifically street systems/traffic, water, drainage, flood control and wastewater?

A specific plan has not yet been determined for the expansion of utility infrastructure downtown. Some basic infrastructure does exist within the development area including water and wastewater lines. The proposed project is located within the Liberty Utilities service area and is bound by existing 6-inch, 8-inch and 12-inch waterlines and 8-inch sanitary lines. Improvements to the existing water/wastewater lines will take place over several phases; some relocation of the water/sewer lines will be required.

A new street system will need to be developed for the internal portions of the project area. The street system development may include improving and building the following:

- Completing Honeysuckle road so that it connects through from Old Litchfield Rd to N. Desert Ave.
- Completing N Desert Ave and building it through the area to connect from W. Wigwam Blvd to W. Cottonwood St,
- Completing Cottonwood Street and building through from Old Litchfield Rd to Litchfield Rd

10. How will this amendment affect existing City provided and contracted services, including police, fire and emergency services protection?

Development of the City Center will increase the City’s demand on contracted services. The shops, restaurants, civic events, and other activities will require services as it does in all commercial, civic, and residential development. It is anticipated, however, that the tax revenues generated by the development will cover any potential additional costs of contracted services.

11. Specifically, what Elements, Goals and Policies of the General Plan will be impacted, both positively and negatively?

There are no known negative impacts of the proposal as protection of nearby neighborhoods is a key priority. The City Center designation will provide significantly greater opportunities to fulfill the vision of the downtown area as a true mixed-use, heart of the community.

13. How will this amendment support the overall intent and/or constitute an overall improvement to the General Plan?

The City's General Plan notes that its purpose is to "*Identify community goals and designate the proposed general distribution, location and extent of such uses of land and other measures to satisfy the goals of this document.*" As stated, it has been the goal of the city and its General Plan to establish a fully developed and vibrant downtown area that provides a diverse spectrum of land uses, including a large open space for civic events, that benefits both tourists and local residents alike. By implementing the City Center designation, the General Plan will now have a clearer outline for downtown core development in the heart of Litchfield Park.



Exhibit A: City Center (CC) Designation Map



DESIGN REVIEW BOARD/BOARD OF ADJUSTMENT UPDATE

The following items were acted on at the June 6, 2019 Design Review Board and Board of Adjustment Meetings:

Design Review:

- ❖ **231 Old Litchfield Road:** The Board reviewed an application for the conversion of an existing carport to a garage and the addition of a large wrap around patio on the side and rear sides of the home at this location. It was noted that the carport conversion followed the general pattern of other homes in the neighborhood, that it would be mostly obscured by the front courtyard wall, and that the colors and materials would match the existing house. It was noted that it had been found that the proposed patio cover would encroach into the required side yard setback. The Board approved the application with the condition that the approval does not include any projections into the side yard setback.

Board of Adjustment:

- ❖ **230 E. Bird Lane:** The applicant was requesting a variance to allow a new garage to encroach 13' into the required 35' street side yard setback and 4' into the required 35' rear yard setback. After holding a Public Hearing, the application was approved based on the Board's findings that affirmative answers could be provided for the four required conditions.

**MINUTES OF THE SPECIAL MEETING
OF THE LITCHFIELD PARK PLANNING AND ZONING COMMISSION
May 14, 2019**

I. Call to Order

The meeting was held in the Community Room at the Litchfield Library and called to order at 6:03 p.m. by Chairman Ross.

Members Present: Chairman Ross; Vice Chairman Faith; and Commissioners Alvey, Lawrence, and O'Connor.

Members Absent: Commissioners McCarthy and Ledyard.

Staff Present: Jason Sanks, Planning Consultant; and Pamela Maslowski, Director of Planning Services.

II. Pledge of Allegiance

Chairman Ross led the pledge.

III. Business

A. City Center Concept Plan and Design Guidelines

Mr. Sanks stated that Scott Phillips, of Destination LP, will be providing a presentation for this item as the project documents originated with his firm through a City working group. The presentation will include two documents that were included in the agenda packet. One is the planning document which includes land use, character, economic development concepts, etc. The other document contains design guidelines for the Center which would help guide development in terms of exterior aesthetics, pedestrian walkways, streetscapes, building architecture, signage, lighting and landscaping. This item is being presented at a special meeting tonight because it is not tied at this time to any rezoning request or being adopted as a specific plan by resolution. It will not be a regulatory document. It is a document that will be presented to Council for possible acceptance. Following that, Staff will probably take the time to prepare General Plan and rezoning requests. However, Staff will not know that for certain until Council acts on the entitlement path/process that the City Attorney has prepared for their review. This item is not on the agenda tonight for action. It is a presentation, and any comments and/or concerns will be noted and presented verbally to Council.

Mr. Phillips explained that his company was brought on to be somewhat of a master planner, with an eye toward also being a developer for the property that the City purchased over a number of years. Development is not part of the current contract, but they have a right to negotiate. They wanted to develop a plan that was viable and acceptable to the community, and he believes they have succeeded.

Mr. Phillips reviewed and discussed his PowerPoint presentation of the City Center Plan:

- The overriding theme is how to build upon the community that is already here. The reason this concept is unique is that they do not have to fabricate anything. The goal is to take what is already here and enhance it.
- Vision and Guiding Principles: These included creating a visual draw; having a place for people to meet; extending the value of Old Litchfield Road; having a mix of uses, but not a dense urban center; providing linkage to the Wigwam and enhancement of the experience; and orienting the project to the quality of life and culture of Litchfield Park.
- Market Conditions: This is a unique opportunity because the quality of life and culture is already established. The retail demographics may not be great, but a lot of retail is now destination-

oriented. They need to find how to attract the right users to the destination concept, and with the right atmosphere, there will be a solid demand for office space. The City owns the property, so the City can make decisions on an ongoing basis and respond to the market. If there is quality, the critical mass will be created to get the project started

- Public Participation: The goal was to garner as much information from the community as possible. Community outreach meetings were held, and there were a number of City Manager Working Group meetings, as well as many emails received from the public.
- The Visual Preference Survey found that the community likes green space and quality architecture, but not overly complicated architecture – simple but elegant. Specialty restaurants are desired, but chain stores are not.
- A full build-out conceptual land use layout is included in the Plan. It includes a combination of retail, office, residential, and civic uses, along with a tremendous amount of open space. The concept is that the park will be the center piece of the project.
- Phasing: Conceptual layouts for four phases were displayed. Phases one and two are the most certain. He believes they can get the retail and office interest, but it will not be certain until all the marketing is done and there is an understanding of what all the costs will be. His company will have 90 days to negotiate with the City for development rights after the plan is accepted. Their preliminary estimation is that there is a good solid demand for the retail and office in the first phase. It is critical that the park be part of the first phase.
- The City has expressed its desire to relocate major festivals from Old Litchfield Road and Wigwam Boulevard onto the park open space. To help accomplish that, a lot of parking must be accommodated, and some surface parking was included in the first phase. Preliminary programming was done to determine the amount of space that would be needed to accommodate the City's festivals and parking.
- The City Working Group and the community noted that the businesses and buildings need to have access to the open space, and that connected open space is desired. He believes they have accomplished that.
- Phase three includes additional buildings and determination of long term plans for civic facilities. Eventually, there will probably be a need for parking garages, especially when approaching Phase three.
- Architectural modeling/renderings were included and indicate a clean classy look with lots of green space, shade and connectivity. It is not overpowering and fits in well with the community. The density and uses will not be focused on a main street; they will be focused on the park.
- The concept was designed to disburse traffic. They wanted to focus traffic on a few different locations, mostly Litchfield Road and Wigwam Boulevard. They do not want the traffic to spill out into the community.
- Palm trees, like the ones on Old Litchfield Road, will be included. Citrus trees were limited due to maintenance and water use issues. Once site plans are prepared, a deeper look into specific landscape plans will be done. Green plants, grass, palm trees and shade are needed.
- A financial analysis was provided within the plan.
- They are working with the City Engineer to put some more detail on the infrastructure plans. They are also waiting on Liberty Utilities to provide an updated master plan. The existing infrastructure will need to be upgraded and some lines will need to be relocated.
- Sustainability was addressed which will also help to reduce operating costs. Utilizing bioswales, solar, shade, and field turf instead of grass will help.
- Lots of pedestrian routes will be provided.
- The plan was designed to limit vehicular through-traffic. A successful center will require traffic because people will want to get to the project; however traffic through the community needs to be limited. The circulation plan and some access limitation along Village Parkway and Old Litchfield Road will help.
- An implementation plan was included that provides the next steps and phases.

Discussion included:

- The street width is undetermined at this time. Mr. Phillips noted he advocates for narrow streets for walkability. However, there must be a balance between walkability and fire department operations.
- In response to a question regarding public restrooms, Mr. Phillips replied that he believes the City budgeted money for a one at Scout Park. Expanding that facility and moving it to the south side of the road has been discussed. For the City's festivals, there are requirements for a certain number of portable facilities, so they identified places on a preliminary program where those could be located.
- Olive trees have been suggested, but they require a lot of maintenance and can be messy. Mr. Phillips noted that they identified Olive trees as accent trees. They will only plant fruitless olive trees, but this comment will be taken under consideration.
- Mr. Sanks stated that the street sections will be studied and determined by the City Engineer, this Commission and City Council before they are adopted. They will be reviewed for safety aspects and aesthetics. The final landscape palette will probably be determined through the Design Guidelines and adopted by ordinance.
- The expanse of dirt on the lot located north of the church has been purchased, and it is currently under construction for a private residence. It was noted that should be designated on the plans as private property.
- One of the slides indicates a parking garage, and it was asked if there could be some retail or something in the front so the garage is not part of the streetscape. Mr. Phillips replied that there should be either a well-developed skin or flexible space built into the bottom floor. Creating a better skin to make it more visually pleasing is a good idea.
- It was asked what is meant by the term "destination" which keeps coming up. Mr. Phillips responded that the "destination" is the park. The park will be the heartbeat of the City Center. Having a feature like that will create the major destination. The other uses and streetscape will also be part of the destination.
- The concept of bringing in waterways and changing the path of the irrigation water sounds like a good idea, but he does not know how it can be done in this space. The project will be oriented toward the community of Litchfield Park. That does not mean that they do not want to attract people from other cities or the Wigwam guests. It will not be the San Antonio River Walk; it is Litchfield Park and specific to Litchfield Park. It will not be a world-wide destination.
- At the last Council meeting, when a water feature was brought up, it was noted that the City has a lake. Some sort of pathway could be created with a trellis or red bricks that could lead people to the lake. It can provide shade and direction.
- Robert Darre, a City resident, commented that this concept fits with what he was looking for when he moved to Litchfield Park. It was worth investing the time and energy to get the plan to where it has become.

Mr. Phillips stated that the set of Design Guidelines were built upon some great work that City Staff had prepared, looking at the land uses, landscaping, architecture, walkability, and all the things expected in quality places and spaces. He then reviewed and discussed the City Center Design Guidelines as part of his PowerPoint presentation. This included:

- The vision history, introduction, goals and location of the project are provided.
- The Guidelines are meant to be illustrative.
- The design concepts were modeled after the current designs of the Wigwam, current retail, and the Church.
- They did not provide information on signage and graphics, but a program for this will be provided in the future. Mr. Sanks noted that Staff will address signage through the Zoning Ordinance.

- They wanted to build in enough flexibility with the site development design to allow the City to get what it wants.
- Parking structures and hiding them or making them fit in is addressed. Skinning them or putting something on the bottom floor, as noted previously, is a good idea.
- The streetscape includes pedestrian walkways. Street furniture, flower pots, lighting, and other interesting items are needed to facilitate people walking around. Cross section samples were included.
- The Architectural Character element was based on comments received. It has been expanded because there are a lot of quality styles that could fit in here. Mr. Sanks noted that the Guidelines will be vetted by the City's Design Review Board.
- Landscape Guidelines were also provided.

It was asked if there will be four way stops or roundabouts at the corners. Mr. Phillips responded that they are looking at all the options. The traffic study indicated that, internally, roundabouts work really well; however he knows there has been some consternation regarding those. It was noted that a greater area is required for the roundabouts. Mr. Phillips stated that he believes that the roundabouts would work well internally, but they have to be cautious of the impacts that might have.

It was asked if a stop light would be required if a new access point is created on Litchfield Road across from Village Parkway. Mr. Phillips replied that some type of traffic control element will be required. A large traffic circle there was once discussed. The traffic study indicates that would be possible but not ideal. They can be disruptive for pedestrians on a larger road, and they want to be sure to facilitate pedestrian accessibility across Litchfield Road.

IV. Adjournment

Vice Chairman Faith **moved** to adjourn; Commissioner Lawrence **seconded; unanimous approval**. The meeting was adjourned at 6:57 p.m.

APPROVED:

PLANNING & ZONING COMMISSION

Frank Ross, Chairman

/pm

**MINUTES OF THE REGULAR MEETING
OF THE LITCHFIELD PARK PLANNING AND ZONING COMMISSION
May 14, 2019**

I. Call to Order

The meeting was held in the Community Room at the Litchfield Library and called to order at 7:01 p.m. by Chairman Ross.

Members Present: Chairman Ross; Vice Chairman Faith; and Commissioners Alvey, Lawrence, Ledyard, and O'Connor.

Members Absent: Commissioner McCarthy.

Staff Present: Jason Sanks, Planning Consultant; and Pamela Maslowski, Director of Planning Services.

II. Pledge of Allegiance

Chairman Ross led the pledge.

III. Call to the Community

There were no requests to speak.

IV. Business

A. Public Hearing: Proposed Zoning Amendment for the Hacienda del Rey Assisted Living Facility Located at 12917 W. Las Cruces Drive, Northeast of the Northeast Corner of Dysart and Indian School Roads

Staff Report:

Mr. Sanks stated that the effective result of this proposed amendment would allow the occupancy of the Hacienda del Rey facility to increase from the current cap of 90 residents to 144. Currently, there are nine buildings with ten rooms in each building. The underlying zoning classification for the Planned Development is Multi-Family, High Density, and the Planned Development allows only 10 residents per building. The owners want to be able to allow more people to live within the existing buildings. There will be no new buildings and no new parking spaces. A parking survey summary was provided by the applicant to justify not providing additional parking spaces. This is a unique use so the project does not necessarily need to provide as many spaces as it would for an apartment residence. Staff has visited the site at various times, and there has been ample parking each time. It is thought that not every resident there has a vehicle because they might not want a vehicle or they are no longer able to drive. The facility has a shuttle to provide transportation for shopping and daily needs beyond what is provided by the caretakers. Currently, the zoning only allows caretakers on site and the applicants are requesting to amend that to also allow medical staff on site to accommodate residents that might not be able to travel for medical services. That would further their goal of allowing memory care treatment on site for residents that need it. The facility has already centralized their cooking facilities. There is now a larger commercial kitchen in Building 9, where food is prepared for all residents rather than having each building preparing food for the residents in that building. The reason they are proposing increasing the population is because they have found that there are times when a resident has a significant other or family member with whom they would like to share the room, not only to be together but to also share costs. They would like to have the ability to have double occupancy in some of the rooms. From a zoning perspective, the City should not get involved in whether the second resident is family or not, and that should not be written in the Code. What is being considered is whether the Commission is comfortable with the increase in population for the current site development. There will be some

financial impact, but that is for Council consideration. Without any site changes, and the fact that the facility is located in the back of the Albertson's Center and the back of a residential neighborhood, Staff does not anticipate any negative impacts from the amendment from a land use perspective.

Boardmember O'Connor asked for clarification as to why the facility was limited to 90 residents. Mr. Sanks replied that he believes it was at the request of the applicant. Ms. Maslowski noted that she believes the former owners used that number based on their model operations for a facility they owned in Tucson. It was not based on a Code requirement.

Applicant Presentation:

Taylor Earle, of Earle, Curley, and Lagarde, provided a PowerPoint presentation and discussed the amendment request. He stated that the reason the population was capped at 90 is that, at that time, they had a different type of State License that capped the number of residents at 10 per building. They are now shifting to a more of a center license. Discussion was not held previously regarding capping the number of residents to 90. Part of the shifting to the new license includes moving the food prep to a centralized location. Every building has a kitchen, but they found that they were getting inconsistent food prep across the different units. They decided to go to a center license and locate a centralized kitchen in Building 9. The other buildings will still have a kitchen, but it will be utilized for serving the food rather than food prep. The Center license allows the facility to have 16 residents per building. They are asking to have the zoning to match the State license. The facility was recently purchased by MBK, and they found that there has been a slower than normal lease up period. The units are all studio units and high quality. People would come in and ask if the cost could be reduced by having mom and dad, or two other family members, in the same room. However, they cannot reduce the cost because they cannot put another person in the empty room. Allowing additional residents per room will enable them to put another person in the empty room. Not everybody has the resources to have their own room, and not everyone wants to have their own room. This would allow them to accommodate them. The unit count will not increase as there will still be the same number of rooms. It will not change the layout of the site or construction. Most parking models are based on unit number, such as the number of studio units, number of one bedroom units, etc. If that parking model is used here, they would not need an increase in parking as they are keeping the same number of studio units. Also, as people come in and share, they are not necessarily doubling the parking need. A couple sharing a room would normally have one car, if they have a car at all, and most of their residents do not have a vehicle. In terms of visitors, if someone is coming to visit their parents, it will still be the same family member visiting. Another change will be that they are converting five of the buildings to memory care. Memory care residents will not be driving and, normally, do not have the same number of visitors as non-memory care residents. In their study, they found that the parking ratio is .24 to .27 spaces per resident, even in peak times. Their proposal would bring the parking ratio to .45 per resident. They also have some extra spots outside the garage that are not specifically marked for parking. That would bring the ratio to .59. They feel they are well parked. There are no quick access points into the neighborhood should someone think to park elsewhere. It would be a long walk. As for allowing medical staff onsite, they believe that is just a clarification in that the language meant that you could not have onsite doctors or nurses. They will not have that; however, they were concerned that it could be interpreted that a doctor or nurse could not come to the facility to see a patient. They want the intent to be clarified. The proposed amendments will not have any negative externalization, but it will provide a great facility with the ability to service more people and make it more affordable.

In response to questions, Mr. Earle and Denise Munoz, of MBK, provided the following:

- The five memory-care buildings will be secured. They are located around a courtyard, and there will be a fence. It will be a space where residents could go out, but the buildings will be locked. The conversion is not part of this request. It was brought up because it helps explain the parking situation. The facility is well equipped for that type of care, but they had not limited it to specific buildings. They are comfortable that they will be providing enough security for the transition.

- The age requirement for the facility is 62 or older and, unless a resident is in a memory care unit, they have to be able to come out to eat.
- It was noted that the City received a letter that noted the caretakers' training. Mr. Sanks stated that the training is not relative to the land use question. It would be related to their license requirements.
- Based on the current number of residents, the parking ratio is at .36 and that is because they do not have the memory care in full operation.
- Residents are assessed when they seek admittance, then again twice a year. Also, anytime behavior becomes a concern to their staff, there is an assessment and, if it is determined that a resident is a danger to any other resident or staff, procedures are begun to remove the resident. They follow State guidelines for their assessments.
- Currently, the occupancy rate is 50%. It was noted that it appears that there is a market for two people to share a room where there is not a market to fill all the rooms with single occupants.
- About four months ago, they had a request for an elderly couple and their adult children to share two bedrooms; however, they were not able to accommodate them.
- There are State regulations they will have to abide by for staff, and there will be an LPN on staff 24/7 in all the buildings.
- It is possible, that there might be two non-family members in the same room. They cannot deny occupancy based on fair housing laws. However, that is not what is driving this request. They would not force anyone to share a room. Everyone would have the right to their own room. They will not necessarily always have 16 residents in a building. They are asking for the flexibility to have up to that number in any building.
- They do not have the data on how many requests they have had for double occupancy, but they are asked about this at least on a monthly basis.
- There will still be a shared common area in each building.

Public Comments

It was noted that a comment was received via email from Dale Ford, and it will be made part of the agenda packet. There were no other comments.

Chairman Ross closed the Public Hearing.

B. Proposed Zoning Amendment for the Hacienda del Rey Assisted Living Facility Located at 12917 W. Las Cruces Drive, Northeast of the Northeast Corner of Dysart and Indian School Roads

Mr. Sanks stated that, from a land use basis, Staff does not find that the change to the Hacienda del Ray resident population, as proposed, will have a negligible impact on the City and surrounding neighborhoods. Allowing outside medical care might also be useful as it will allow those residents to address some medical needs on site rather than call for emergency services. Approval is recommended.

In response to a question, Mr. Sanks replied that there is nothing in the Zoning Code that would allow the City to place any restrictions on the types of residents that would be allowed.

Vice Chairman Faith **moved** to recommend approval to Council with the recommendation that Council inquire into the additional costs this would bring to the City prior to making a final decision; Commissioner Ledyard **seconded**.

Boardmember O'Connor **moved** to amend the motion to add a restriction that there be a limit of two residents per unit; Commissioner Alvey **seconded** the amendment.

A vote was taken on the amended motion and the amended motion was **approved unanimously**.

C. Zoning Code Update

Mr. Sanks stated that the Zoning Code is being updated and restructured and noted the work that had been completed thus far. Staff has been fortunate to continue meeting with Commissioners Faith and O'Connor on Zoning Code update working sessions. He reviewed a PowerPoint presentation he had prepared that included:

- An explanation of why and how the update is being done.
- Like Zoning Districts with similar requirements are being consolidated with the specific district requirements being provided in a chart.
- Definitions and uses are being updated.
- The Resort District will not be reviewed tonight.
- Example properties for each of the Commercial Districts were shown.
- A City Center District is currently being developed. It will come to the Commission under a separate application and will then be swept into the update.
- Proposed Commercial District changes include:
 - Updating land use definitions and uses.
 - Setting requirements for development size rather than lot size.
 - Deleting lot width requirements for all non-residential developments.
 - Modifying building separation requirements.
 - Relocating site plan review portions in the individual districts to the process portion of the Code.
 - Clarifying and defining building height requirements.
 - Re-calibrating the way setback regulations are addressed - Staff finds that setbacks should be considered from adjacent land uses and streets.
 - Eliminating the Regional Commercial District - It is meant for developments 30 acres or larger and allows buildings to be eight stories high.
- The change being proposed for the Industrial District is the removal of the minimum lot size requirement.
- The language for site plan, development plan, master plan, and planned area development plans will be clarified and defined.
- He anticipates engaging JDM in the Resort District update.

Commissioner Lawrence inquired if there would be regulations to prohibit building lights from shining into residential areas. Mr. Sanks replied that lighting for a project would be addressed in two sections of the Code as there are two types of lighting associated with commercial developments – parking area lighting and signage. Some cities limit illuminated signage facing residential areas to within a certain proximity of a shared property line. In any case, lighting will be addressed with this update.

D. Referrals to City Council

There were no referrals.

E. Design Review Board/Board of Adjustment Update

Commissioner O'Connor noted that the report is in the packet and there were no additional comments.

F. Minutes

Commissioner O'Connor moved to **approve** the minutes of the November 13, 2018, January 8, 2019, and April 9, 2019 Regular Meetings; Vice Chairman Faith **seconded**; **unanimous approval**.

V. Executive Session

No Executive Session was held.

VI. Staff Reports

Mr. Sanks reported on the progress of the Sun Health/La Loma Campus General Plan and rezoning applications, the City Center project applications, and the City's perimeter wall.

VII. Commissioners' Report on Current Events

There were no reports.

VIII. Adjournment

Commissioner Lawrence moved to adjourn; Commissioner Ledyard **seconded; unanimous approval**. The meeting was adjourned at 8:13 p.m.

APPROVED:

PLANNING & ZONING COMMISSION

Frank Ross, Chairman

/pm

**MINUTES OF THE REGULAR MEETING
OF THE LITCHFIELD PARK PLANNING AND ZONING COMMISSION
June 11, 2019**

I. Call to Order

The meeting was held in the Community Room at the Litchfield Library and called to order at 7:00 p.m. by Chairman Ross.

Members Present: Chairman Ross; Vice Chairman Faith; and Commissioners Alvey, Lawrence, and Ledyard.

Members Absent: Commissioners O'Connor and McCarthy.

Staff Present: Jason Sanks, Planning Consultant; and Pamela Maslowski, Director of Planning Services.

II. Pledge of Allegiance

Chairman Ross led the pledge.

III. Call to the Community

There were no requests to speak.

IV. Business

A. 2020 General Plan Update

Mr. Sanks stated that he wanted to introduce another big project Staff is working on. Beside the Zoning Code update and City Center project, Staff is also working on the State Statute required General Plan ten year update. This time, the Plan will have to be taken to the voters, with the election being next year. He then reviewed his PowerPoint presentation on the item, which included:

- The current General Plan was adopted in 2010.
- The project will be called the “2020 General Plan”.
- The update is required by State Statute and there are certain steps that must be followed.
- The City Center General Plan amendment will most likely be acted on prior to the adoption of the 2020 General Plan and will then be rolled into the update.
- The perspective schedule includes technical meetings, Citizen Review, study sessions, public hearings, Council adoption, and placement on the ballot.
- The Circulation and Land Use maps, as well as other exhibits, will be updated.
- Components of a City General Plan, including Introduction, Elements and Action Summary were explained.
- The assignments of responsibilities and the next steps to be taken were noted.

Discussion included:

- Asking developers to review a draft plan to determine the strength of the requirements and comment on any potential unexpected loopholes for the City.
- Reaching out to stakeholders.

B. Referrals to City Council

There were no referrals.

C. Design Review Board/Board of Adjustment Update

It was noted that the report was included in the packet, and there were no additional comments.

V. Executive Session

No Executive Session was held.

VI. Staff Reports

Mr. Sanks reported on the progress of the rezoning application for the NWC of Litchfield Park and Wigwam Boulevard, the Zoning Code Update, the Hacienda del Rey rezoning request, the Dysart and Camelback Roads Center, and the City Center project applications.

VII. Commissioners' Report on Current Events

There were no reports.

VIII. Adjournment

Commissioner Alvey moved to adjourn; Commissioner Lawrence **seconded; unanimous approval.** The meeting was **adjourned** at 7:29 p.m.

APPROVED:

PLANNING & ZONING COMMISSION

Frank Ross, Chairman

/pm