

**CITY OF PHOENIX PLANNING COMMISSION
REGULAR MEETING
MONDAY, OCTOBER 13, 2014**

- I. CALL TO ORDER/ROLL CALL/INTRODUCTION:** Chair Summerhays called the Planning Commission meeting to order at 6:30 p.m. In attendance were Chair Micki Summerhays, Vice Chair David Lewin, and Commissioners George “Ike” Eisenhauer, Judy Grillo; Priscilla Atkin and Jason Couch. There was a quorum. Staff in attendance was Planning Director Matt Brinkley and Assistant Planner Steffen Roennfeldt.

Chair Summerhays welcomed two new members to the Planning Commission. She pointed out that there is still one more spot open. Commissioner Lewin asked staff to find out whether citizens living within the Urban Reserve Areas could possible serve as a Commissioner.

- II. CHANGES TO THE AGENDA:** None.

- III. CONSENT CALENDAR:**

A. Approval of Minutes from August 25, 2104 - Regular Planning Commission Meeting;

MOVED BY COMMISSIONER EISENHAUER, AND SECONDED BY COMMISSIONER GRILLO, TO APPROVE THE MINUTES FROM AUGUST 25, 2014 – REGULAR PLANNING COMMISSION MEETING.

ROLL CALL VOTE AS FOLLOWS:

AYES: GRILLO, EISENHAUER, LEWIN, SUMMERHAYS

NAYS: NONE

ABSTENTIONS: COUCH, ATKIN

THE MOTION PASSED.

- IV. NEW BUSINESS: Public Hearing for Type III Land Use Action, Conditional Use Permit to allow for a storefront church in Suite B at the Shoppes at Exit 24, 205 Fern Valley Road.**

Public Hearing: Chair Summerhays opened the public hearing and asked if there were any conflicts of interest, ex parte contact or specific bias. There were none.

Chair Summerhays asked for comments from staff. Mr. Brinkley briefly explained the proposed project. He said that previously, another Church (“Journey Church”) applied for a Conditional Use Permit which was approved by the Planning Commission. However, in the conditions of approval, it was specifically stated that the conditional use permit could not be transferred to another applicant. He

said that one of the proposed conditions of approval for CUP14-01 will be that the Conditional Use Permit will run with the land, not the applicant.

Ken Feliciano, 2451 Highgate Street, Medford, said that the church will provide services on Sunday mornings and Wednesday evenings. He briefly explained what the church does for the community and how it would fit in to “the Shoppes at Exit 24.”

Dennis Williams, PO Box 1210, Phoenix, spoke in favor of the application and talked about some of the programs the church has in place to help the community.

Drew Lamb, 1124 Miramar Avenue, Medford, said that he represents the owners and spoke in favor of the project. He said that traffic and parking will not be an issue.

Chair Summerhays closed the public hearing.

Commissioners' Deliberations: Chair Summerhays explained the process to the new Commissioners and the public. She wanted to know what the \$2,500 fee for a Conditional Use Permit application entails. Mr. Brinkley said that it includes staff time, mailing costs, public hearings, etc.

Commissioner Grillo spoke in favor of the project.

Commissioner Eisenhauer also spoke in favor of the project. He additionally wanted to put a recommendation in the motion to reduce the fee for the applicant since the Planning Commission had already pre-approved this location for a Conditional Use Permit for a church.

Commissioner Atkin said that based on the information she received, there is no reason to deny the project.

Commissioner Lewin spoke in favor of the project.

Commissioner Couch said that he is also in favor but he wanted to make sure that, if the church wanted to expand their hours of operation and/or significantly change the size of their business, they would have come back to the Planning Commission or staff for approval.

MOVED BY COMMISSIONER GRILLO TO APPROVE, WITH CONDITIONS, ORDER NUMBER CUP14-01 TO ALLOW A CHURCH OPERATE IN THE C-H COMMERCIAL HIGHWAY ZONE AT 205 FERN VALLEY ROAD, SUITE B.; AND TO RECOMMEND TO CITY COUNCIL TO WAIVE PART OF THE FEE. SECONDED BY COMMISSIONER EISENHAUER.

ROLL CALL VOTE AS FOLLOWS:

Ayes: 6

Nays: 0

THE MOTION PASSED UNANIMOUSLY.

V. OLD BUSINESS: None.

VI. CONTINUATION OF WORK SESSION FOR DARK SKY/OUTDOOR LIGHTING STANDARDS

Mr. Brinkley showed pictures taken at night of the new gas station at the corner of Fern Valley and OR-99, and pointed out some of the issues with the outdoor existing lighting. These included overlighting, light spillage onto adjacent properties, and glare experienced by drivers and pedestrians along OR-99 and Fern Valley. He explained the possible benefits of a dark sky/outdoor lighting ordinance as well as the existing standards in the Land Development Code. The draft ordinance is based on a model ordinance co-authored by the Illuminating Engineering Society and the International Dark Sky Organization: There would be two, or possibly three, methods to meet the requirements of the proposed ordinance – prescriptive or performance based.

Mr. Brinkley said that he has repeatedly talked to the property owner of the gas station to point out the current problems. He also spoke to the electrical contractor that installed the lights. The contractor said that they will turn the light heads down but they are not planning on reducing the amount of lights. There was further discussion about what could be done to solve the issue. The conclusion was to wait for the electrical contractor to turn the heads down and see how things work out.

Everybody was in favor of moving forward with the ordinance and Mr. Brinkley said he would notice DLC and prepare a draft ordinance.

There was discussion about future projects and how the lighting standards would affect those developments.

MOVED BY COMMISSIONER COUCH TO MOVE FORWARD WITH THE DARK SKY/OUTDOOR LIGHTING ORDINANCE. SECONDED BY COMMISSIONER GRILLO.

ROLL CALL VOTE AS FOLLOWS:

Ayes: 6

Nays: 0

THE MOTION WAS PASSED UNANIMOUSLY.

VII. WORKSHOP ON SIGN ORDINANCE

Mr. Brinkley said that the Planning Department recently received several complaints about Election Signs. This caused staff to take a closer look at the current sign ordinance. He said that some of the ordinance right now use standards that are content-based and are legally problematic. He said one can regulate manner, time and place but not content. He used some examples out of the current Land Development Code to point out the problems.

Brinkley presented a list of items that need to be addressed:

- Need to eliminate content based standards and definitions;
- Modernize digital sign standards;
- Create a temporary sign program that allows local business to promote their sales, while improving the appearance of streets in Phoenix and their function.

MOVED BY COMMISSIONER COUCH TO MOVE FORWARD WITH UPDATING THE SIGN ORDINANCE. SECONDED BY COMMISSIONER ATKIN.

ROLL CALL VOTE AS FOLLOWS:

Ayes: 6

Nays: 0

THE MOTION WAS PASSED UNANIMOUSLY.

VIII. PUBLIC COMMENTS: None.

IX. COMMENTS FROM COMMISSIONERS

Commissioner Lewin said he will be absent at the next meeting. He also wanted to know if City Council will still move forward with the adult businesses ordinance. Mr. Brinkley said that City Council will resume discuss of the Adult Business Overlay zone at a later point in time.

Commissioner Couch wanted to know what kind of businesses the City would be looking at. Mr. Brinkley said that any business where access is restricted for people under the age of 18, with a few exceptions, would qualify as adult businesses.

X. PLANNING DIRECTOR'S REPORT:

Matt Brinkley thanked the Planning Commission for attending the Transportation System Plan meeting.

IX. ADJOURNMENT: Chair Summerhays adjourned the meeting at 8:20 p.m.

Micki Summerhays, Chair

Matt Brinkley, Planning Director