

Wednesday, December 19, 2018

Special Meeting

The meeting was held in the cafeteria of the Litchfield Elementary School and called to order at 6:00 PM by Mayor Tom Schoaf.

I. Call to Order

Attendee Name	Title	Status
Tim Blake	Council Member	Present
Ann Donahue	Council Member	Present
Paul Faith	Vice Mayor	Present
Peter Mahoney	Council Member	Present
Jeff Raible	Council Member	Present
John Romack	Council Member	Present
Tom Schoaf	Mayor	Present

Staff present: Bill Stephens, City Manager; John Mazza, Assistant City Manager; Terri Roth, City Clerk; Sonny Culbreth, Management Assistant; Susan Goodwin, City Attorney; Lars Johnson, Director of Finance; Pamela Maslowski, Director of Planning Services; Lynn Webb, Code Enforcement Officer; Shelby Hennigan, Administrative Assistant; Jena Hoffman, Administrative Assistant; Chris Moffitt, Administrative Assistant; Jason Sanks, Planning Consultant; Woody Scoutten, City Engineer.

II. Pledge of Allegiance

Mayor Schoaf led the Pledge of Allegiance.

III. Business

A. Public Hearing: General Plan Amendment Application GPA 18-02: Proposed Major Amendment to the City of Litchfield Park General Plan that would Amend the Land Use Map Designation for Approximately 15 Acres Located at the Northwest Corner of Litchfield Road and Wigwam Boulevard by Deleting the Text Establishing a Vision for Development of the Property

Mayor Schoaf offered an apology to the attendees for the parking issue they encountered this evening. The Council and Staff were unaware that the school was having their Winter Festival this evening.

He stated the purpose for this Special Meeting was due to the applicant, JDM, LLC, filing an application for a Major General Plan Amendment earlier this year for the 15 acres located at the Northwest corner of Litchfield Road and Wigwam Boulevard. To be in compliance with State Statute, the City is required to hold a public hearing on a proposed General Plan Amendment during the same calendar year the application was filed to consider the proposal.

He stated that Staff is recommending and believes that both JDM and the Council concur, that the GPA and the companion rezoning application should be processed concurrently in 2019, so that all of the issues can be discussed at the same time. He stated there have been numerous comments made regarding the initial GPA, which were based on the initial rezoning amendment and in light of this, Staff is reviewing the application. Once Staff has completed the initial review, then the applicant may review and amend based on Staff's comments. Once the rezoning proposal is final, Staff will again review and make its recommendation to the Planning and Zoning Commission and City Council.

The public will have an opportunity to comment at another Citizen Review meeting on the final rezoning proposal. The Planning and Zoning Commission will make a recommendation to City Council who will then hold another public hearing, at which time there will be another opportunity to speak about the final rezoning proposal. He stated there will be numerous opportunities to speak on the proposal.

Mayor Schoaf stated it has been difficult to discuss this GPA without the rezoning application. There is no rezoning application on the Council agenda this evening, so it will not be discussed. He fully expects that the land owner may modify its proposal before it reaches the Planning and Zoning Commission and the City Council. For this reason, Staff is recommending that the Council hear the presentation for the GPA as required by law and then postpone action until the final companion rezoning case can be considered, so that both the GPA and rezoning application can be considered at the same time and comments can be received on both issues at the same time.

Tonight, JDM will make a brief presentation on the GPA without consideration for the rezoning application. After the presentation, the general public may comment on the GPA only and limited to three minutes. He anticipates the Council will postpone a decision until the GPA and companion rezoning application can be heard together. He stated that although the residents have a right to be heard tonight, there will also be multiple opportunities for them to speak on the issue. He encouraged those who completed a Request to Speak form this evening to withhold their comments until the final proposal for both items can be considered.

Mayor Schoaf opened the public hearing for GPA 18-02 at 6:12 pm.

Mr. Sanks, Planning Consultant, provided a brief update on the Staff report regarding this item. The City is meeting the statutory requirements for this item by holding this meeting this evening, however the Council is not required to take action to approve or deny tonight; Staff can simply request a continuance. He stated this property was subject to another GPA in 2014, in which case, the property was designated commercial and JDM felt it would be more developable if it were to have a blended designation, of not just commercial, but allow residential uses in a format called Horizontal Mixed Use.

He explained the definitions of horizontal and vertical mixed use, stating that vertical mixed use allows the residential units to be built on top of the commercial buildings, which you can find in many urban settings, in cities such as Tempe or Phoenix, while horizontal use are units built next to each other. He stated it is often very difficult to pull off the vertical mixed use as there are few developers who can make it successful. The applicant had requested horizontal mixed use at the time.

At that time, Staff very carefully considered that request through the major GPA and specifically wrote the language into the General Plan as part of the request that the City would support that, if the project maintained a minimum of 75,000 square feet of commercial footprint and be built first or simultaneous with any residential development on the majority of the site. The residential could be up to 150 units. Mr. Sanks stated that at that time, Staff did not have a zoning case to actually confirm the specific details and there was also a small provision that some of the residential be built on the north side of the lot to mirror the current development by Cachet Homes, located on the north side of Village Parkway.

Mr. Sanks stated that over the last four years, JDM has stated they have not been successful finding a developer to build with this 75,000 square foot commercial minimum requirement. To give an idea of what 75,000 square feet looks like, it's the size of your average to larger size grocery store, but it would not be as large as the Fry's Marketplace, which is 120,000 square feet.

In considering this request, Staff has always stated they would like to see the companion rezoning case. Staff is looking at all the impacts this project would have, including any financial impacts. The applicant is requesting to delete all of the language related to the GPA that was adopted four years ago, which would mean striking the requirement for 75,000 square feet of commercial, striking the requirement that the commercial be built before or at the same time as the residential portion of the project, and striking all the residential requirements along Village Parkway.

Staff has made it clear that they do not support this with this request without the companion rezoning case and would like to do is continue to work with the applicant on the case that was filed this year. A cursory review with Design Review Board would possibly take place as well.

Paul Gilbert, representative of JDM, stated they have filed the GPA to remove the 75,000 square feet commercial requirement. They support the rezoning case to be heard at the same time. They are willing to discuss the comments heard this evening on the GPA only and are in full support if Council should decide to continue.

Ruth Cox, spoke on the importance of the preservation of Litchfield Park. She stated JDM Partners know the City's historical value, as evidenced by the recognition it receives. She hopes they will consider this in their decision making.

Frank Cuoco, commented this is the best place to live and would like to keep it that way, but believes we need more commercial. He shared his concerns about future revenue to sustain the City.

Tom Gahl, 760 E. Fairway, commented that when this GPA was approved at 75,000 square feet, JDM felt they could support it at a time when the economy was recovering. Today, the economy is better than it was, so it should be able to be supported.

Herman Williams, a 15 year resident, who loves the City, would like the developer and City to consider forming a bridge symbolic of a gateway, like a nice pedestrian bridge to make the connections from this property to the City Center. The Council must weigh all the alternatives and take advantage of the opportunities that are left.

With no further comments, Mayor Schoaf closed the public hearing at 6:36 pm.

B. Proposed Major General Plan Amendment Application, GPA #18-02, Proposed for the Northwest Corner of Litchfield Road and Wigwam Boulevard

Following a brief discussion, Council Member Romack **moved, seconded** by Council Member Raible to continue action on this item until such time the companion zoning request has been reviewed; **unanimous passage.**

RESULT:	TABLED [UNANIMOUS]
MOVER:	John Romack, Council Member
SECONDER:	Jeff Raible, Council Member
AYES:	Blake, Donahue, Faith, Mahoney, Raible, Romack, Schoaf

IV. Executive Session

This item was not held.

V. Adjournment

Council Member Mahoney **moved, seconded** by Council Member Romack to adjourn; **unanimous passage.** The special meeting adjourned at 6:52 PM.

APPROVED:

CITY OF LITCHFIELD PARK

Thomas L. Schoaf, Mayor
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CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the special meeting of the City Council of the City of Litchfield Park held on **Wednesday, December 19, 2018.**

I further certify that the meeting was duly called and held and that a quorum was present.

Terri Roth, CMC, City Clerk