

Minutes of the Work Session held June 15, 2015 at 6:30 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor
David Iwanski
Bryan Kilgore
Jim McDonald
Sandy Nielson
Lorenzo Sierra

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Rob Gubser, Planning Manager
Carmen Martinez, City Clerk
Andrew McGuire, City Attorney

1 ROLL CALL BY THE CITY CLERK

2 PROPOSED WESTERN AVENUE GATEWAY ARCH DESIGN CONCEPTS

Rob Gubser, Planning Manager, presented design concepts for the Gateway Arch on Western Avenue. The Design Guidelines for Historic Avondale call for a unique identifier in the form of an artisan gateway feature on Western Avenue, which would create a sense of arrival in the creative arts district. Michael Baker International was the consultant hired to develop concepts for the arch.

Mr. Gubser explained that the Avondale design was in part influenced by gateway arches in cities like Evansville, Indiana; Columbus, Ohio; and the communities of Sunnyvale and Roseville in California, yet it incorporates some of the existing architectural elements found along Western Avenue. The use of board cast concrete bases would provide the opportunity to inset a logo. The arch also could incorporate fiber optic lighting elements.

Mr. Gubser presented three options:

1. A painted steel structure featuring board cast concrete bases with seating, fluted columns and scrollwork similar to that used in the pedestrian lights on Western Avenue, and translucent acrylic panels that tie into the City's wayfinding design.
2. A concrete base with seating and columns similar to Option 1, City banners incorporated on the columns, exposed unpainted steel that will rust out naturally, and a perforated panel that employs an internal fiber optic lighting system that can change colors throughout the year.
3. Monolithic concrete columns with benches at the base, an arch that borrows elements of the other two options, perforated panels with fiber optic lighting in a more open design than Option 2.

Mr. Gubser said the arch location would be pushed back to the west of the intersection with Dysart Road. This would give drivers an opportunity to make their turn onto Western Avenue before they observe the arch.

These three designs were presented to the Historic Avondale Merchants Association and the Municipal Arts Committee. The response was very positive, but Option 1 emerged as the clear favorite. Option 1 is budgeted at about \$165,000, Option 2 is about \$189,000, and Option 3 is about \$177,000. The project has been placed in the CIP for fiscal year 2017.

Council Member McDonald said he likes Option 1 the best. It has an old town, homey feel, and the design is reminiscent of grapevines. The three options are different enough to provide a good range of choices.

Council Member Nielson felt that all of options were too expensive for a sign over the road. The money would be better used to complete other projects. Of the three options, she prefers the first one.

Council Member Kilgore said all three designs are very nice, but Option 1 is the best. It does the best job of pulling in the design elements from the rest of Western Avenue. The painted finish will make it easier to remove graffiti.

Vice Mayor Karlin said while this project would create a unique feature and draw people to Western Avenue, at this time it is not a top priority for Avondale. She would prefer the money be spent on extra playground equipment or park repairs, which would benefit more people. She chose Option 1, but felt all three designs looked too industrial.

Council Member Sierra shared the feeling that Avondale has higher priorities. The designs are nice but he would prefer to see more Spanish influence. Option 2 appropriately reflects Avondale's railroad heritage.

Council Member Iwanski chose Option 1. He inquired whether this item was in the approved budget. David Fitzhugh, City Manager, explained that it is listed in the CIP for the 2017 fiscal year and will return to City Council at a later date for approval. The money is not available today to build the project. Six months will be needed for the final design. If necessary, funds could be carried into the following year to finish construction.

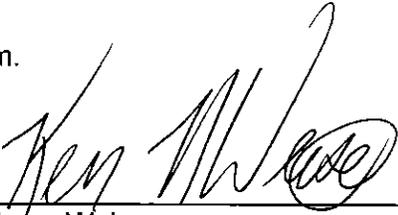
Mayor Weise inquired about the lead time on the project should City Council change their mind later on. Mr. Gubser responded that the plans have been designed to 35%, and construction documents are still far away. The purpose of this exercise is to gauge the community's response to different design ideas. Mayor Weise said Option 1 seems to have what Council is looking for. Another conversation on this item will be warranted during next year's budget process. The new Council Members did not have a chance to discuss this project initially, and should be given the opportunity to do so.

Council Member McDonald said he has come around on some of Avondale's existing public art pieces as over time he has realized that additions like this make a difference. People notice them and the art changes the way they view their surroundings. The City asks developers to add art to their projects for a good reason.

3 ADJOURNMENT

There being no further business before the Council, Council Member Iwanski moved to adjourn the regular meeting into executive session. Council Member Nielson seconded the motion, which carried unanimously.

City Council meeting adjourned at 6:51 p.m.



Mayor Weise



Carmen Martinez, MMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Work Session of the Council of the City of Avondale held on the 15th day of June, 2015. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk

Minutes of the Regular Meeting held June 15, 2015 at 7:01 p.m. in the Council Chambers.

MEMBERS PRESENT

Mayor Kenn Weise and Council Members

Stephanie Karlin, Vice Mayor
David Iwanski
Bryan Kilgore
Jim McDonald
Sandy Nielson
Lorenzo Sierra

ALSO PRESENT

David Fitzhugh, City Manager
Gina Montes, Assistant City Manager
Kevin Artz, Assistant City Manager
Abbe Yacoben, Finance and Budget Director
Rob Gubser, Planning Manager
Dana Alvidrez, Traffic Engineer
Andrew McGuire, City Attorney
Carmen Martinez, City Clerk

1 ROLL CALL AND STATEMENT OF PARTICIPATION BY THE CITY CLERK

Carmen Martinez, City Clerk, read a statement of participation regarding public appearances.

2 UNSCHEDULED PUBLIC APPEARANCES

Doug Biles requested that the City Council follow the recommendations of Animal Control and Code Enforcement in the matter of an illegal dog kennel in his neighborhood. He said he is not opposed to Pammy's Second Chance Rescue and their cause, but its location is problematic. It exists in a single family home on a residential cul-de-sac. The home is an eyesore, and the kennel causes health, safety, and noise concerns. This problem has been going on for a long time, and property values have declined.

Mayor Weise noted that City Council has received numerous emails on this subject. He requested that the group in support of the shelter choose a representative to speak on their behalf. Pam, from Pammy's Second Chance Rescue, responded that her horse property was annexed by Avondale. There is no City Code limiting the numbers of dogs on a property provided they are personal dogs. If necessary, she would be willing to put all the dogs in her name. She does not think her house is an eyesore, though admits to some code violations and is working to address them. She said Mr. Biles has been aggravating and harassing the whole neighborhood with continual complaints. She has many supporters throughout the community. The shelter placed 20 dogs last weekend, and seven more will be moved to the Tucson Pammy's. She asked the City not to shut down her shelter.

3 CONSENT AGENDA

Items on the consent agenda are of a routine nature or have been previously studied by the City Council at a work session. They are intended to be acted upon in one motion. Council members may pull items from consent if they would like them considered separately.

a. APPROVAL OF MINUTES

1. Work Session of May 18, 2015
2. Regular Meeting of May 18, 2015
3. Work Session of June 1, 2015
4. Regular Meeting of June 1, 2015

b. LIQUOR LICENSE SERIES 12 (RESTAURANT) ACQUISITION OF CONTROL – RAUL AND THERESA'S RESTAURANT

A request to approve an application submitted by Mr. Alonso Marin for acquisition of control of a Series 12 (Restaurant) License to sell all spirituous liquor at Raul and Theresa's Restaurant located at 519 W Main Street in Avondale.

c. LIQUOR LICENSE SERIES 9 (LIQUOR STORE) ACQUISITION OF CONTROL – SAFEWAY PIR

A request to approve an application submitted by Ms. Andrea Lewkowitz for acquisition of control of a Series 9 (Liquor Store) License to sell all spirituous liquor at the Safeway PIR located 7602 S. Avondale Blvd., Ste B in Avondale.

d. MEMORANDUM OF UNDERSTANDING – WEST VALLEY ARTS COUNCIL FOR GALLERY 37 PROJECT

A request to approve a Memorandum of Understanding with the West Valley Arts Council for a Gallery 37 Project at Friendship Park's proposed splash pad site and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

e. COOPERATIVE PURCHASING AGREEMENT – RIDDLE PAINTING & COATINGS

A request to approve a Cooperative Purchasing Agreement with Riddle Painting & Coatings to provide painting services for City facilities in the amount not to exceed \$90,000 over a contract term of 3 years and authorize the Mayor or the City Manager and the City Clerk to execute the necessary documents.

f. PROFESSIONAL SERVICES AGREEMENT – KIMLEY-HORN AND ASSOCIATES, INC. – MCDOWELL ROAD IMPROVEMENTS

A request to approve a Professional Services Agreement with Kimley-Horn and Associates Inc. to provide design services for the McDowell Road Improvement Project in the amount of \$149,991 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

g. CONSTRUCTION CONTRACT AWARD – RK SANDERS INC. FOR 107TH AVENUE PRIVATE IRRIGATION IMPROVEMENTS AND 119TH AVENUE/MCDOWELL DRAINAGE BASIN

A request to award a Construction Contract to RK Sanders Inc. to provide construction services for the 107th Avenue Private Irrigation Improvements and the temporary drainage basin at the northeast corner of 119th Avenue and McDowell Rd in the amount of \$232,214, and authorize the Mayor, or City Manager and City Clerk to execute the necessary documents.

h. CONTRACT FOR PROFESSIONAL SERVICES – MUNICIPAL SOLUTIONS, LLC FOR STRATEGIC PLANNING SERVICES

A request to award a contract for professional services to Municipal Solutions, LLC, in an amount not to exceed \$42,000, to provide expert planning services for the development of the multi-year City of Avondale Strategic Plan and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

i. FIRST AMENDMENT TO THE AGREEMENT WITH PCI&TS, LLC FOR INTERPRETING AND TRANSLATING SERVICES

A request to approve the first amendment to the professional services agreement with PCI & TS LLC for professional court interpretation and translation services, to increase the annual agreement amount for each renewal term from \$22,000 to \$36,000 and the maximum aggregate from \$110,000 to \$180,000 and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

j. RESOLUTION 3258-615 – INTERGOVERNMENTAL AGREEMENT WITH CITY OF GLENDALE FOR LAW ENFORCEMENT SERVICES AT UNIVERSITY OF PHOENIX STADIUM

A resolution approving an Intergovernmental Agreement with the City of Glendale to provide professional law enforcement and security services at the University of Phoenix Stadium and authorize the Mayor or City Manager and City Clerk to execute the necessary documents.

k. RESOLUTION 3259-615 – INTERGOVERNMENTAL AGREEMENT WITH THE ARIZONA DEPARTMENT OF REVENUE RELATED TO ADMINISTRATION OF THE CITY'S TRANSACTION PRIVILEGE TAX

A resolution approving an Intergovernmental Agreement with the State of Arizona Department of Revenue related to the administration, collection, audit and licensing of transaction privilege (sales) tax and authorizing the Mayor and City Clerk to execute the necessary documents.

l. RESOLUTION 3260-615 – AMENDMENT TO INTERGOVERNMENTAL AGREEMENT RELATED TO THE SOUTHWEST FAMILY ADVOCACY CENTER

A resolution to approve an amendment to an Intergovernmental Agreement between the City of Avondale, City of Buckeye, City Goodyear, and the County of Maricopa regarding the operation of the Southwest Family Advocacy Center and authorize the Mayor or the City Manager and the City Clerk to execute the Agreement.

Council Member McDonald moved to approve the consent agenda as presented including Resolution 3258-615, 3259-615 and 3260-615. Council Member Kilgore seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Aye

Vice Mayor Karlin	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

4 PUBLIC HEARING – FINAL FY 2015-2016 BUDGET AND PROPERTY TAX LEVY

A public hearing on the proposed property tax levy and adoption of the final budget for fiscal year 2015-2016 in the amount of \$176,731,990. The Council will take appropriate action.

Abbe Yacoben, Finance and Budget Director, reviewed the budget approval timeline, a process that began seven months ago. This is a public hearing on the final budget and truth in taxation. City Council will adopt the property tax levy on July 6, 2015. The fiscal year 2015-16 budget total is \$176,731,990. It includes priorities established during the Council goal-setting retreat in December.

Ms. Yacoben explained that the State of Arizona has two property tax levies, a primary and a secondary. The secondary levy does not have the same limitations as the primary levy because it is used for debt service payments only and is approved by the voters. The primary levy is highly regulated and diversifies the General Fund's revenue. City Council has a policy of limiting the levy to \$2 per \$100 of property value, and it currently stands at \$1.75 per \$100. By State law, the City is also limited to a 2% increase in primary property taxes over the previous year's levy.

To comply with state laws, Avondale must hold a truth in taxation hearing to notify residents of their intentions to raise primary property taxes. The proposed tax increase will cause Avondale's primary property taxes on a \$100,000 home to increase from \$76.04 to \$77.56. This reflects the same properties that were taxable last year with natural appreciation, without any new construction or annexations. The primary property tax contributes only about \$2.5 million to the \$50 million General Fund and Ms. Yacoben recommended that City Council diversify the sources of taxes in that fund, which is the approach City Council has used in the past. The State now requires that both property taxes be computed using net assessed value instead of cash value. This shift caused the primary rate to decrease and the secondary rate to increase.

Council Member Iwanski said it is a positive sign that the assessed valuation increased in Avondale over the past year.

Mayor Weise opened the public hearing.

Pat Dennis inquired about the \$2 million incentive program. David Fitzhugh explained that the City Council adopted an incentive program that applies equally to all types of development impact fees in the city. It is intended to be supported by construction sales taxes as well as permit fees.

Mayor Weise closed the public hearing.

RECESS

Council Member Nielson moved to recess the Regular Meeting. Council Member Sierra seconded the motion, which carried unanimously.

RECONVENE

Council Member Nielson moved to reconvene the Regular Meeting. Council Member McDonald seconded the motion, which carried unanimously.

5 PUBLIC HEARING – CONDITIONAL USE PERMIT FOR QUIKTRIP CONVENIENCE STORE WITH GASOLINE STATION (PL-14-0239)

A public hearing and request by Mr. Brian Greathouse, Burch & Cracchiolo, P.A., for a Conditional Use Permit (CUP) for a QuikTrip convenience store and gasoline station located on the northwest corner of Coldwater Springs Boulevard and Avondale Boulevard. The Council will take appropriate action.

Rob Gubser, Planning Manager, reviewed the details of Application PL-14-0239. The General Plan map calls for this site to be Local Commercial in use. Surrounding uses are Medium Density Residential to the south, Neighborhood Commercial across Avondale Boulevard to the west, and the City Hall site sits diagonally across the intersection. The site is zoned PAD as part of the Coldwater Springs development. Zoning to the north is C-2 Neighborhood Commercial, to the east is Maricopa County R-43, and to the south is the Coldwater Springs PAD.

Mr. Gubser stated that the site was annexed and rezoned to the Coldwater Springs PAD in 1997. It was designated Neighborhood Commercial C-2. In 2010, City Council approved conditional use permit (CUP) PL-10-0027, which allowed a QuikTrip convenience store with eight gasoline pumps, and a 5,668 square foot building. Site and roadway improvements were completed, but construction was halted in 2011 due to the economic downturn. The CUP expired in November of 2012.

Mr. Gubser said QT is returning with a request to approve a new CUP. The building itself has increased in size by just over 200 square feet. It will still have eight pumps and operate 24 hours a day, seven days a week. The design is QT's new third generation store, with enhanced architectural features, brickwork, and bright canopies. The canopy features notches to reduce the appearance of the overall length. The building and canopy both parallel Avondale Boulevard. There are three points of access to the site.

Mr. Gubser said this use is consistent with the General Plan land use designation. It helps further the City's guidelines and objectives for this area, and provides a needed service to the community. The site is compatible and beneficial to the existing residents and businesses. It is adequate in size and provides ample parking. Traffic engineering has signed off on the application.

The applicant held a neighborhood meeting on March 11, 2015. Ten residents attended to share their views. They said the site is located too far from I-10. They asked about light intrusion, canopy height and proximity to the surrounding neighborhood. The Planning Commission held a public hearing. Two letters and one phone call were submitted in support. Two speakers were in opposition and three spoke in support. The Commission recommended approval unanimously. Staff recommends approval with two stipulations:

1. The Conditional Use Permit approval shall expire two years from the approval date if a permit for construction is not obtained.
2. Deliveries of fuel and convenience store merchandise are to take place between 6 a.m. and 10 p.m. Store merchandise shall be delivered through the rear of the building.

Council Member Nielson said she spoke to several nearby residents. One expressed concern that there is no turn lane off Avondale Boulevard, which will cause accidents. Concerns were also raised about the impact on Coldwater Springs Boulevard traffic. The others were in favor of QT returning to the area. Mr. Gubser explained that there is a deceleration lane heading south, and a median prevents anyone from turning left from the northbound lanes. Dana Alvidrez, the city's Traffic Engineer, said Traffic Engineering studied this issue and reported that drivers will have adequate time to leave the site. Traffic signal adjustments would be made.

Mayor Weise said this QT is a needed benefit for the city and the area. He expressed disappointment that QT failed to act on the previous approval and made no attempt to contact the city for a long time.

Mayor Weise opened the public hearing.

Arlen Smith said the biggest problem at the intersection comes during the morning and evening rush hours. Many accidents will result because no extra lanes were added. He said he is opposed to the QT.

Mayor Weise closed the public hearing.

Council Member Nielson moved to APPROVE the conditional use permit (PI-14-0239). Council Member Sierra seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Aye
Vice Mayor Karlin	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried unanimously.

6 LIQUOR LICENSE – SERIES 10 – BEER AND WINE STORE – QUIKTRIP #1424

A request from Mr. Troy DeVos for approval of a Series 10 (Beer and Wine Store) Liquor license application for QuikTrip #1424 to be located at 150 N Avondale Blvd in Avondale.

David Fitzhugh said this request is for a liquor license related to the QuikTrip approved in the previous agenda item. It was posted in accordance with the law, and the Arizona Department of Liquor License Controls accepted it as complete. Staff recommends approval.

Council Member Nielson inquired whether hard liquor sales would be included. Mr. Fitzhugh said they only applied for a beer and wine license. Council Member McDonald said he has been going to QT for a long time, but said he shares Mayor Weise's disapproval of the way QT handled the previous application. After promising to build the first third generation store in Avondale, they halted construction and built it in Goodyear instead. He does not like the idea of approving a liquor license for a store that has not been built yet. In response to an inquiry from Mayor Weise, Andrew McGuire explained that it is not unusual for liquor licenses to be applied for prior to construction.

Mayor Weise said he is hesitant to approve the license in advance of the store being built, regardless of the reassurances, but would not want to have the business start off at a disadvantage.

Council Member Sierra moved to APPROVE the liquor license for QuikTrip #1424. Council Member Iwanski seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Nay
Council Member Iwanski	Aye
Council Member Nielson	Nay
Mayor Weise	Aye
Vice Mayor Karlin	Aye
Council Member Kilgore	Aye
Council Member Sierra	Aye

Motion carried five to two.

7 PUBLIC HEARING – ORDINANCE 1584-615 – PALM VALLEY-AVONDALE PAD AMENDMENT

A public hearing and ordinance to amend the Palm Valley-Avondale Planned Area Development located at the southeast corner of Dysart Road and Thomas Road to 1) allow a convenience store with gasoline station as a conditionally permitted use within the Palm Valley Avondale PAD, 2) allow an increase in fuel canopy length from 150 feet to 158 feet, and 3) allow for three button (Logo) signs on the fuel canopy as requested by Mr. Brian Greathouse, Burch & Cracchiolo, P.A.

Mr. Fitzhugh said this is the first of three related agenda items and the presentation of Item 7, a PAD, would be combined with Item 8, a conditional use permit. City Council will vote on each separately.

Rob Gubser explained that Items 1 and 8 are related to a separate QuikTrip from the one described in Item 5. It covers 2.75 acres, and is part of a surrounding 14-acre site, which is vacant. Dysart Commons is to the north. To the east and south is the Rancho Santa Fe subdivision. To the west is the City of Goodyear, with a CVS on the corner. To the northwest is Estrella Mountain Community College. The General Plan designation is Local Commercial, and it is surrounded by Local Commercial, Medium Density Residential, and Education. Zoning for the site is PAD, and it is surrounded by PADs.

Mr. Gubser stated that the site was zoned in 1994 as the Palm Valley-Avondale PAD. It was designated as Neighborhood Retail, but not further defined until the third amendment in 2002. At that point it was defined as Neighborhood Commercial C-1, which does not include gas stations. The first amendment is to allow a gas station/convenience store as a permitted conditional use. They are also asking for an eight-foot increase in the canopy size and three button signs on the canopy.

The site has arterial frontage on Dysart and Thomas. There is one right in-right out access way on each street and a full access way that lines up with Dysart Commons to the north. The site is buffered from the closest residence by 400 feet. The surrounding site will remain C-1. The store will be of the third generation design family. The notches reduce the visual impact of the canopy length.

Mr. Gubser said the General Plan and the North Avondale Specific Plan specifically lists gas stations as a compatible land use in the Local Commercial designation. The 400-foot buffer and enhanced landscaping to the east and south provide an adequate transition to the residential areas. The intersection treatments will help create an attractive gateway into Avondale. The use is complementary to surrounding uses. Staff feels that the canopy length and sign deviations are offset by the enhanced architectural design and landscaping that exceeds minimum requirements.

Mr. Gubser stated that the CUP furthers the City's guidelines and objectives for the General Plan and the North Avondale Specific Plan, and is consistent with the desired character for the area. It is compatible with surrounding and adjacent nearby uses and will not be detrimental to the surrounding area. It is of adequate size and circulation and provides sufficient parking. The street system can adequately accommodate the proposed use. There are three stipulations, including one that limits deliveries to the hours of 6:00 a.m. to 10:00 p.m.

The Applicant did hold their required neighborhood meeting on March 5. Everybody within 500 feet was notified. Four citizens attended. A supplemental meeting was held March 16 at Rancho Santa Fe Elementary School. The notification radius was expanded to 1,000 feet. Fifty-one citizens attended. Concerns were expressed questioning the need for another gas station in this area, students purchasing alcohol, homeless people and loitering, traffic impacts, the effect on property values, the size of the site, gas tanks leakage, and the

timing of the proposal. Resident concerns were mitigated through revisions to the CUP and the site plan.

Mr. Gubser explained that a Planning Commission meeting was held on May 21. The Commission questioned the extra length of the canopy, the building orientation, cross access to the surrounding development, and the number of pumps. Five speaker cards were submitted in opposition, while nine were submitted in support. The Corte Sierra HOA sent a letter unanimously opposing the request. A petition opposing the application was submitted with 131 signatures, and one in support had 116 signatures, with 10 being from nearby business owners. Three emails were sent in support. The Planning Commission recommended approval of both the PAD and the CUP. Since then one letter has been received to reiterate previously expressed support, and two letters in opposition were received. Staff recommends approval of the PAD subject to one stipulation:

1. The Palm Valley-Avondale PAD Development Plan and Ordinance, including all stipulations of prior approval, shall remain in full force and effect, unless expressly modified by this amendment.

Staff is also recommending approval of the CUP subject to the following stipulations:

1. The Conditional Use Permit approval shall expire two years from the approval date if a permit for construction is not obtained.
2. Deliveries of fuel and convenience store merchandise are to take place between 6 a.m. and 10 p.m. Store merchandise shall be delivered through the rear of the building.
3. A Minor Land Division shall be completed for the 2.75 acre site located at the southeast corner of Dysart Road and Thomas Road prior to Site Plan approval.

Council Member Sierra inquired about the possibility of pedestrian safety enhancements at the intersection. He noted that moving the Zoom stop further south would reduce the need to cross the street. Mr. Gubser responded that both the crosswalks and the Zoom stop can be evaluated depending on the amount of extra pedestrian traffic generated.

Council Member Iwanski inquired whether opponents of the QT expressed a preference for the type of development they would prefer to see. Mr. Gubser responded that a previously approved site plan called for a retail/commercial site with an out building for a bank or fast food restaurant, but there have been no specific suggestions.

Mayor Weise said he likes QT, but feels one would be inappropriate for this site. It will detract from Rancho Santa Fe and limits the City's options for that corner in the future. The project previously proposed for the site would have been a better fit. There are other areas in Avondale that would be better served by a QT. On the other hand, the site has been empty for a long time, and will probably remain so if the QT is not built.

Council Member Kilgore said he will vote no because of the significant number of people who expressed their opposition.

Mayor Weise opened the public hearing.

Dan Dobbin said he is in favor of this project. The plot has been vacant ever since he moved to the neighborhood 12 years ago. Nobody has provided a better alternative. The market is speaking in favor of this site. The community and the city need the business. QT treats employees well and they run stores that are safe and clean. He encouraged City Council to follow the recommendation of the Planning Commission. Most students drive to the community college rather than walking. They are not children; they are adults.

Pat Dennis said the City has never had a discussion with the community about what the residents wanted to see built on that corner. The site plan that was developed went nowhere. She asked City Council to reject the proposal and to spend time to discover what the community wants. Thomas Road is considered an arterial, but functions more like a collector since it ends at the river. Avondale should not simply approve the first proposal that comes along, and should take time to consider a more cohesive plan. The C-1 designation should be respected.

Perry Pulley said he shops at QT and has two daughters that work there. They treat their staff well, and their stores do not create problems. A QT would fill an empty lot in the city and attract other businesses. EMCC students do not walk to campus so there should be few pedestrian issues.

Betty Lynch stated that the site was planned for single-story medical office buildings, with a bank on the corner. The Applicant's petition did not collect addresses, so there is no way to know where they live or where the businesses are located. She asked that it be rejected as incomplete. She presented Council with a new petition with recently collected signatures in opposition. No other West Valley city accepts signatures without addresses, nor should Avondale. She purchased her home in the area knowing that gas stations were prohibited on that lot. As a City Council Member in 2002, the Palm Valley PAD was replaced with a C-1 zoning code. Gas stations belong in commercial areas, and there are plenty to the north and south. Nothing like this has been imposed on a quiet neighborhood in Avondale before. The QT will cause mayhem on Thomas Road, which is one of only three entryways to Rancho Santa Fe. Traffic leaving the QT will empty in Rancho Santa Fe and near a school.

Brian Greathouse said QT agrees with all the findings in the staff report and appreciates the Planning Commission's recommendation of approval. The site is compatible with the area, is consistent with the General Plan, and there is ample separation from the homes. The parcel is vacant, and QT is looking to spark development on the site. The General Plan is in place to provide direction on the City's process and to delineate what could be developed where. A QT benefits the community by creating pedestrian synergy near a public institution, and by offering services beyond a typical convenience store. The company is willing to invest \$12.5 million on two sites in Avondale. This proposal will generate less traffic than the previously proposed plan would have. One hundred and six residents signed a petition in support of QT, and another ten came from businesses in Dysart Commons. QT is amenable to making changes that would make the project more compatible with the surrounding 14 acres.

Mike Alcorn said the site has been vacant for 16 years. There are already several medical suites located within a mile of the intersection. The corridor always has cars and people will always need to stop for gas. QT is a good thing for the neighborhood. The detriments have been minimized as much as they are ever going to be because the QT will be located on a busy corner away from residences. There are other solutions to the traffic concerns in Rancho Santa Fe. Avondale must quit waiting for its empty spaces to be filled.

Mayor Weise closed the public hearing.

Council Member Nielson expressed concern about the QT having ten pumps instead of eight. QTs are upscale, clean and well-staffed stores. Some of them have work stations for police. Having one on that corner will draw more development, and there is a substantial buffer between the homes. The diesel will be for cars, not semis. No other gas station is closer than a mile. The QT would provide a benefit to residents and EMCC students.

Council Member Sierra requested specific examples of QT stores that sparked neighboring development. Juan Romero cited examples in Chandler, Goodyear and Peoria. Council Member Sierra encouraged QT to use local contractors whenever possible. He suggested tabling the proposal until QT could secure the addresses of people who support the store.

Vice Mayor Karlin stated that QT has a sterling reputation in the business, but the nearby residents have been vocal in their opposition. They know what they want in their neighborhood. She challenged the residents to be actively engaged in bringing the type of development they want should the QT proposal fails to pass. It should not always be left up to the City. She would support tabling the proposal until the addresses in support of QT could be verified.

Mayor Weise doubted that tabling the proposal or reducing the number of pumps would ease the opposition. He is confident that QT acquired legitimate signatures from the neighborhood, and questioned whether tabling would accomplish anything. Mr. Fitzhugh responded that tabling the item would suggest that there are unanswered issues that need to be explored before a decision could be made.

Council Member Iwanski said this is not the type of site that medical office buildings would want to build on. In terms of economic development, rejecting this proposal would be an opportunity lost, and the property could sit vacant for years. He supported the project.

Council Member Nielson noted that QT is an American company that wants to provide economic development in Avondale. She understands the concerns of the residents who oppose it, but many others want it.

Council Member Kilgore said the opponents are not concerned about QT, but they hold out hope that the site can be used for a more desirable type of development. He would prefer waiting for that opportunity and felt the citizens would work with the City to attract a suitable use for that location. Council Member Sierra withdrew his suggestion to table the item.

Council Member McDonald moved to adopt Ordinance 1584-615. Council Member Iwanski seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Nay
Vice Mayor Karlin	Aye
Council Member Kilgore	Nay
Council Member Sierra	Aye

Motion carried five to two.

8 PUBLIC HEARING – CONDITIONAL USE PERMIT FOR QUIKTRIP CONVENIENCE STORE WITH GASOLINE STATION (PL-14-0241)

A public hearing and request by Mr. Brian Greathouse, Burch & Cracchiolo, P.A., for a Conditional Use Permit (CUP) for a QuikTrip convenience store and gasoline station located at the southeast corner of Dysart Road and Thomas Road (PL-14-0241).

Mayor Weise opened the public hearing.

Betty Lynch said the City Council Members never visited the site. There is no need for a police work station at QT, because there is a police substation across the street. She clarified that she does not support having medical offices there, she was simply noting that one had been approved before. The CVS is a perfect example of how a commercial building on the corner can do nothing to spark development on the rest of the lot.

Dan Dobbin said he and 116 other people in the community have expressed their support for this proposal. This is an opportunity for the city, and he encouraged City Council to approve it.

Pat Dennis requested that if the project is approved, the number of pumps be reduced to eight, and the pedestrian/transit amenities at that intersection be enhanced to promote better connectivity.

Mayor Weise closed the public hearing.

Dana Alvidrez explained that bus stops are typically placed on the far side of traffic signals, which in this case would be on the north side of the intersection from the proposed QT. Mr. Fitzhugh suggested that transit/pedestrian amenities would be best addressed through the site planning process instead of through the Applicant. Staff will review intersection improvements accordingly.

Council Member McDonald stated that QT has nothing to do with determining where Zoom buses travel or stop. Many cities are competing over limited transit resources and it is a real challenge to get any changes made. Reducing the number of pumps will not change the footprint of the store, but could result in cars having to wait longer to get gas.

Andrew McGuire explained that the extended canopy was approved as part of the previous PAD zoning ordinance, while the number of pumps are to be considered in the CUP process.

Council Member McDonald moved to approve the conditional use permit (PL-14-0241). Council Member Iwanski seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

Council Member McDonald	Aye
Council Member Iwanski	Aye
Council Member Nielson	Aye
Mayor Weise	Nay
Vice Mayor Karlin	Aye
Council Member Kilgore	Nay
Council Member Sierra	Aye

Motion carried five to two.

9 LIQUOR LICENSE – SERIES 10 – BEER AND WINE STORE – QUIKTRIP #423

A request from Mr. Troy DeVos for approval of a Series 10 (Beer and Wine Store) Liquor license application for QuikTrip #423 to be located at 2825 N Dysart Road in Avondale. The Council will take appropriate action.

David Fitzhugh said this liquor license is for the QuikTrip #423 that was approved in Items 7 and 8.

Council Member Sierra moved to APPROVE the liquor license. Council Member Iwanski seconded the motion.

ROLL CALL VOTE AS FOLLOWS:

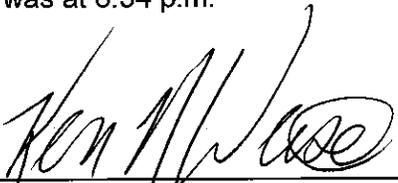
Council Member McDonald	Nay
Council Member Iwanski	Aye
Council Member Nielson	Nay
Mayor Weise	Nay
Vice Mayor Karlin	Aye
Council Member Kilgore	Nay
Council Member Sierra	Aye

Motion failed.

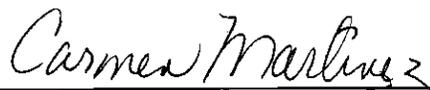
10 ADJOURNMENT

There being no further business before the Council, Council Member Nielson moved to adjourn the meeting; Council Member Kilgore seconded the motion. Motion was carried unanimously.

The City Council regular meeting adjourned was at 8:54 p.m.



Mayor Weise



Carmen Martinez, MMC
City Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Council of the City of Avondale held on the 15th day of June, 2015. I further certify that the meeting was duly called and held and that the quorum was present.



City Clerk