

**MINUTES
CITY OF GLENDALE PLANNING COMMISSION**

**CITY COUNCIL CHAMBERS
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301**

**THURSDAY, FEBRUARY 6, 2014
6:00 PM**

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

Commissioners Present: Chairperson Petrone, Vice Chairperson Larson, Commissioner Penilla, Commissioner Johnston, Commissioner Aldama, and Commissioner Berryhill were present.

Commissioner Absent: Commissioner Lenox

City Staff Present: Jon M. Froke, AICP, Planning Director, Tabitha Perry, Assistant Planning Director, Remigio Cordero, Planner, Remigio Cordero, Planner, Deborah Robberson, Deputy City Attorney, and Diana Figueroa, Recording Secretary.

APPROVAL OF MINUTES

Chairperson Petrone called for the Approval of Minutes.

Commissioner Penilla made a motion to approve the minutes of the November 7, 2013 Planning Commission Workshop. Vice Chairperson Larson seconded the motion, which was approved unanimously.

Commissioner Penilla made a motion to approve the minutes of the November 7, 2013 Planning Commission Public Hearing. Commissioner Johnston seconded the motion, which was approved unanimously.

WITHDRAWALS AND CONTINUANCES

Chairperson Petrone called for any withdrawals and/or continuances. There were none.

PUBLIC HEARING ITEMS

Chairperson Petrone called for staff's presentation.

CUP13-11: A request by Pastor Delvagus Ivy, representing Vineyard Christian Fellowship of Glendale, for a child care center (daycare) for no more than 10 children in the R-4 (Multiple Residence) zoning district. The site is located at the southwest corner of Maryland Avenue and 65th Drive (6422 North 65th Drive) and is in the Ocotillo District.

Mr. Remigio Cordero, Planner, said Case CUP13-11 was a request by Pastor Delvagus Ivy, representing Vineyard Christian Fellowship of Glendale, for a child care center (daycare) for no more than ten children in the R-4 (Multiple Residence) zoning district. The site is located at the southwest corner of 65th Drive and Maryland Avenue (6422 North 65th Drive) and is in the Ocotillo District. He said that Vineyard Christian Fellowship was an existing church that currently provides religious services. He explained the church wants to provide daycare for up to ten children. The ages of the children will be from three to five years of age. He stated hours of operation will be Monday through Friday 6:30 a.m. to 6:00 p.m. He said child care will be provided in two rooms within the church. One room is 133 square feet and the other room is 193 square feet in size. Parents will be able to enter the property from two access points, Maryland Avenue and 65th Drive. He added parking will be provided off-street on the existing parking lot.

Mr. Cordero noted that on May 8, 2013, the applicant mailed 102 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. He added that planning did not receive any response regarding the request. However, last week the planning division received one response from a nearby neighbor in opposition to the request citing no landscaping and that the parking lot would have to be restriped as well as on site circulation problems. He said it was explained that there would be several stipulations addressing those issues.

Mr. Cordero continued stating that the proposed church building was adequate for the applicant to have up to ten children for childcare. He said the R-4 zoning district permits a child care center subject to CUP approval. He explained the proposed use of a child care center will not have an adverse effect on the surrounding neighborhood. The church is adequate in size and shape for the children to be supervised indoors and outside in the fenced playground area. Additionally, the church is proposing a fenced landscaped area on the site plan for the children to play. There will be two ingress and egress points for parents to come to the church and park in the parking lot and adequate circulation provided on site for vehicles to maneuver through the site. He noted all applicable city departments have reviewed the application and recommended approval.

In conclusion, Mr. Cordero stated this request appears to meet the required findings for Conditional Use Permit approval and should be approved, subject to the stipulations listed in the staff report. He asked for questions from the Commission.

Chairperson Petrone called for questions from the Commission.

Commissioner Aldama asked if the building will be inspected by the fire department. Mr. Cordero replied the Fire Department has reviewed the site and will ensure there will be fire detectors in the building. However, sprinklers were not required.

Commissioner Larson inquired about the one neighbor that was in opposition. Mr. Cordero and staff explained the stipulations for the property; however, the neighbor was still not satisfied. Commissioner Larson asked if staff felt confident they had covered all those issues. Mr. Cordero replied yes.

Chairperson Petrone remarked that the neighbor's objections were met and addressed but he still remained opposed to the project.

Chairperson Petrone called for the applicant to make a presentation.

Pastor Delvagus Ivy, applicant, said their goal was to provide good quality childcare since it was lacking in that area. He noted Mr. Cordero had done a good job in his presentation and he did not have anything further to add.

Commissioner Aldama reiterated his concerns for fire safety in the building.

Chairperson Petrone opened the public hearing. Since there was no further discussion, he closed the public hearing.

Commissioner Johnston made a motion to approve CUP13-11 subject to the stipulations listed in the staff report. Commissioner Aldama seconded the motion, which was approved unanimously.

Deborah Robberson, Deputy City Attorney said this is final approval by the Planning Commission subject to a written appeal if filed within 15 days.

ZON13-04: A request by Rose Law Group PC, representing Glendale Bell 101, LLC, to amend the permitted uses for the existing Palm Canyon Business Park PAD (Planned Area Development) zoning to allow static billboards. The site is located at the northwest corner of the Loop 101 Freeway and Bell Road. This site is located in the Cholla District. Staff Contact: Jon M. Froke, AICP, Planning Director.

Jon M. Froke, AICP, Planning Director, stated Case ZON13-04 was a request by Rose Law Group PC, representing Glendale Bell 101, LLC, to amend the permitted uses for the existing Palm Canyon Business Park PAD (Planned Area Development) zoning to allow static billboards. The site is located at the northwest corner of the Loop 101 Freeway and Bell Road. This site is located in the Cholla District. He said the entire business park is 26.1 acres in size and the land areas included in this request are two 60 foot by 60 foot squares along the east property line, adjacent to the Loop 101, that total 7,200 square feet. He added the proposed billboards would be located in these squares.

Mr. Froke explained the applicant proposed to amend the development standards of the existing PAD zoning to permit two 85-foot high static billboards. He said the distinction between digital billboards and static was that the sign copy on digital billboards can be changed remotely and the static are the older style where the panels were not as easily changed and had to be done so by hand. The north billboard was proposed to have two faces with a maximum sign area of 672 square feet each. The faces would be oriented toward the north and southbound lanes of the Loop 101. He said the south billboard, close to Bell Road is proposed to have three faces. The two oriented toward the Loop 101 would have a maximum sign area of 672 square feet. He

explained that one sign face would be oriented to the west, toward Bell Road and would have a maximum sign area of 420 feet.

Mr. Froke provided some history stating that the North Valley Specific Area Plan (NVSAP) and companion rezoning case were approved by City Council in 1989 and established a master development plan for the two square mile area adjacent to Bell Road for what became the Arrowhead Towne Center and surrounding development. He noted the plan's purpose was to define the character of proposed development including land use, circulation, and urban design consideration and to provide a basis for rezoning and development. Additionally, the PAD zoning was approved subject to 23 stipulations. He explained stipulation two required the administrative approval of a master sign plan concurrent with the submission of development plans for any portion of the property and that stipulation five required that any existing billboard be removed at the time of development of the parcel on which it is located. Subsequently, the billboards that existed at the time were removed and the North Valley Development Environmental Signage Guidelines were approved and last updated in 1997.

Mr. Froke stated that on June 21, 2013, the applicant mailed 249 notification letters to adjacent owners and interested parties inviting them to a neighborhood meeting held on July 2, 2013. He said that excluding city representatives, 57 individuals attended the meeting and expressed various concerns. He noted the Planning Commission received eight letters or e-mails in support, 82 letters or e-mails in opposition, and one telephone call in opposition to the request. The Planning Commission also received one petition in support and two petitions in opposition. He said that subsequent to the packet, they had received additional comments on this case. He said that on February 4 staff received 59 letters in opposition and on February 5, they received 22.

In conclusion, Mr. Froke, stated staff recommends denial of this request. However, if the Commission chooses to recommend approval, it should be subject to the two stipulations as listed in the staff report.

Chairperson Petrone called for questions from the Commission.

Commissioner Penilla remarked on the many letters and citizens that were in opposition. He asked how many letters were received in approval. Mr. Froke replied less than 10 responses. Commissioner Penilla noted this was the first time in his years on the Commission that he has seen staff recommend a denial in a case. He asked when staff recommended denial of a project in the past. Mr. Froke stated that in 2004 there was a CUP for a fast food facility that wanted to locate in Arrowhead Ranch. He said those were the only two he can remember in the last 15 years.

Commissioner Larson asked Mr. Froke to explain the progress of the pre-application meeting for an applicant. Mr. Froke said any applicant has an opportunity to meet with staff, pay a filing fee and have a chance to discuss their case in front of the Planning Commission and Council.

Commissioner Aldama asked if there had been any efforts to remove billboards in any part of the city. Mr. Froke explained the circumstances where billboards have been removed to improve older areas.

Chairperson Petrone called for the applicant or applicant's representative to come forward and make a presentation.

Ms. Jordan Rose, Rose Law Group PC stated owner of Becker Boards, Mr. Mark Becker and Joseph White, were in attendance. She said also in attendance was Jennifer Hall, Senior Planner, from their law firm. She thanked staff for continuing the case to allow them to address the neighborhoods' concerns. She explained the location seemed perfect to them for advertising since the property was on Bell Road and the Loop 101 which was a future Commerce Park and the billboards will help jump start that business area. Additionally, the parcel was across from a Costco, auto dealership, Wal-Mart and the Peoria Sports Complex and not near any residential area. She explained the site was on the freeway with an overpass and across from a commercial property. The site is 3,000 feet away across the 101 from any Glendale single family home owner. She stated when Becker Boards chooses a site they look for sites that are out of the way from residential homes and that make sense. She said the only people that will notice these signs are those that are driving on the 101 which is what the local businesses that advertise want.

Ms. Rose talked about the City of Peoria regarding billboards and stated they were hoping they had them sooner since they will be helping the business community. She noted that Peoria officials are saying that along the 101 was the right place for the project because of the existing infrastructure and demographics were along busy Bell Road. She showed on the map where Peoria proposes to have their billboards erected. She also read various comments in favor of billboards.

Additionally, Ms. Rose stated Becker Boards adjusted their plans from digital to static billboards since the community did not want the digital. She said that many of those who submitted emails in opposition were misinformation noting they believed the location was Loop 101 and Union Hills Drive so there might have been some confusion on where the billboards were to be placed. Therefore, they recently amended their application again for them to only place billboards on the two locations that were on the application. She explained the lighting on the billboards will have no measurable spillover since the intent of the static board was to light up the board not the neighborhood. She showed where other Becker boards were located around Westgate and how they were smaller than the average boards. She stated the billboards will bring in revenue to the city and promote local advertising to help Glendale businesses. In addition, Becker Boards was willing to offer a 20% discount to any local business from Glendale, sponsor the Old Towne Glendale Car Show for three years as well as offer free space for local charities when the boards are not in use.

Ms. Rose stated they do have overwhelming support from Glendale businesses and residents. She said that Mark Becker had gone from business to business and had collected 129 signatures in support. Additionally, they also went door to door residentially and obtained support signatures totaling 1,096 and counting. She noted that in a Glendale poll 77% approved of building the billboards. She talked about the letters of support from local business owners that

were received. She summarized stating that the billboards will not be visible from any Glendale single family home and do not create a problem for future signs. She said Becker signs are smaller than others and they will increase revenue for the city. She added that Becker Boards was locally and privately owned. In closing, she asked for the Commission's support and said she will be happy to answer any questions raised during her presentation.

Commissioner Penilla asked if they had read the NVSAP signage guidelines. Ms. Rose replied yes. Commissioner Penilla noted she would then agree that this application was inconsistent with the first guideline of having a unified signage theme on its various parcels. Ms. Rose disagreed stating that in their view the guidelines did not address billboards. She said that, in fact, it said that if the Commerce Park were to come in and they wanted their own signage, they would have to go through and make sure they were consistent. Commissioner Penilla noted this plan acts as a General Plan for the whole Glendale area. Ms. Rose said she does not necessarily agree with that aspect. She reiterated her stand that it had no effect on a proposal for billboards.

Commissioner Penilla commented on the good partnership the city had with Arrowhead Towne Center. Commissioner Penilla noted that Arrowhead Towne Center has abided by the city's rules regarding billboards and now Becker Boards wants to change that. Ms. Rose explained the two were different conversations and each was a different circumstance. She reiterated the benefits of having the billboards that will increase additional revenue for the city.

Commissioner Penilla asked Mr. Froke if this area was considered heavy commercial or an industrial area according to the city. Mr. Froke explained the General Plan Amendment approved in 2007 was to go from Light Industrial to General Office, therefore it was not considered heavy commercial or industrial. Commissioner Penilla noted it was not heavy commercial or an industrial area.

Commissioner Penilla commented on the citizen participation process and the overwhelming opposition to this application from people in Glendale. Commissioner Penilla questioned the site and date the meeting took place. Ms. Rose noted the site and date was suggested by staff. Commissioner Penilla noted his problem with the timing and location of the meeting. Ms. Rose explained she had the emails from staff suggesting the site and date and said they only accepted staff's recommendation.

Commissioner Penilla asked if Becker Boards lived in the community as referenced. Ms. Rose noted their reference was that they were locally owned and were pillars of the community. Commissioner Penilla asked if they lived in Glendale. Ms. Rose said no, however, they spend a lot of time in the community. Commissioner Penilla discussed the city removing some billboards around Glendale. Ms. Rose stated she agreed with removing billboards in low speed places and place them where they really make sense and where they will be seen.

Commissioner Johnston thanked Ms. Rose for her presentation. He asked if she gave the same presentation at the neighborhood meeting. Ms. Rose replied that Mr. Becker and staff were the ones that made the presentation. Commissioner Johnston referenced the overwhelming opposition to this application. Ms. Rose believes this opposition was to promote anti-

competitive attitude since there were no neighbors that will be affected by these billboards in anyway other than to drive sales tax to the city in a positive way.

Commissioner Larson remarked on Ms. Rose's comments regarding additional billboards in the area that might come along if this application gets approved. Ms. Rose explained everyone was entitled to apply and it was up to the city to decide. Additionally, she believes Peoria was lobbying against this application since it will take revenue away from their city. She noted Becker Boards loves being in Glendale and believes this was a perfect site for these billboards.

Commissioner Aldama asked Ms. Rose to comment on their commitment to Glendale when there was overwhelming opposition to this application. Ms. Rose noted Becker Boards own research received overwhelming support. She explained there had been a lot of misinformation and attributes it to why there was so much opposition.

Commissioner Aldama asked Mr. Froke if staff knew how much revenue would be generated by these two signs if they were to be approved tonight. Mr. Froke said he did not have an exact number, however, the city taxes advertising at a rate of 2.9%. Ms. Rose explained the other benefits such as bringing back the car show and promoting and encouraging people to shop in the city. She said advertising was known to work to grow business.

Commissioner Berryhill asked how long the 20% discount will apply for. Ms. Rose replied there would be no end date for the discount.

Chairperson Petrone opened the public hearing.

Brett Bourdon, in support, did not speak.

Eric Rinestone, in support, did not speak.

Bert Hayenga, Creative Leather Furniture, business owner, in support, said he has had many years of great success as well as challenges during the tough economic times. He noted that billboard advertising is very instrumental in driving traffic to his stores. The sales tax revenue benefit brings millions of dollars into their stores. He said that from a billboard perspective, it is very effective for developing their brand and bringing customers to their stores. Becker Boards has been very gracious with their rates for advertising. He has the highest regards for the management of Becker Boards. The furniture business has been challenging in past years and Becker Boards has been instrumental in keeping the business profitable. His business is located on 70th Avenue and Bell Road.

David Mook, a Cholla resident, Arrowhead Ranch Phase II HOA, opposed, said he was speaking on behalf of himself and his wife. He said his neighborhood has 1,207 homes. He noted that a number of residents have expressed concern regarding this proposal. He wants to oppose this application in a constructive fashion. He said the Council has already restricted this type of advertisement to the Sports and Entertainment District only. He is opposed to this application as it will encourage others to construct billboards in other places.

Patricia Jones did not speak, but indicated she was in support.

Jason Mallette, a Cholla resident, said he is opposed to this application. He said it was suggested the billboards will face the Loop 101 north and south bound. However, he believed a fifth faces Bell Road. He is unsure if this is still the case. He questioned how many of the businesses would have to see the faces of these signs 24/7 as the homeowners would be viewing these signs 24/7. He noted that since both signs are located north of Bell Road, he would suggest that people coming north on Loop 101 will not be able to exit the freeway in time to visit what they have seen on the sign. He said with regard to the benefit, he does not see any true benefits. He believed billboards are things of the past and are outdated. Ms. Rose stated there is a sign face facing Bell Road.

Patrick Barrett, in support, stated he had nothing to add since all had been said.

Rene Maupin stated she was very satisfied with the public's decision.

Douglas Cox, a Peoria resident, opposed, submitted a petition with 95 signatures opposing this request. He said they had been told the billboards at Loop 101 and Bell Road will not affect residential homes as they are far removed. He displayed pictures indicating how residents can indeed see the existing billboards from their homes. He said 2.9% revenue is not very much at all.

Reverend Jarrett Maupin, in support, urged the Commission to support the billboards proposed and encouraged that the city accept any revenues coming into the city. He stated although he is not a citizen of Glendale, he manages a home for unwed, pregnant teenage mothers in the City of Glendale. He said traffic needs to be driven to the Sports and Entertainment District from all areas of the valley. He stated that Glendale's own City Council discussed many options of municipal marketing only weeks ago. The city must generate funds as these were desperate times. He encouraged the City of Glendale representatives to gather and find ways to bring in money for the City of Glendale. He said there was nothing wrong with making money for the City of Glendale especially if it's not costing the city anything to begin the process of earning money.

Commissioner Penilla asked if he had ever lived in Glendale. Reverend Mopin replied no. Commissioner Penilla asked if he knew how much money would be generated from these billboards. Reverend Mopin said he did not know, but felt a significant amount would be brought to the City of Glendale. He felt people will be drawn to the advertising on the billboards and will shop at the advertised businesses.

Jennifer Deines, opposed, a Glendale resident, stated she was adamantly opposed to this request. She and many of her neighbors are in the audience and oppose this request. They agree and support staff's recommendation to deny this request. She presented additional signatures in opposition.

Juan Soto did not speak but indicated he is in support of this application.

Dan Collins, a Peoria resident, stated he is against and opposed to this request. He submitted a petition with signatures opposing this application as well.

Jose Vitela, in support, did not speak.

Will Stuart, a Glendale resident in opposition, stated his concern is regarding freeway advertising which may distract drivers.

Heidi Chapp, Vendetta Art Studios, business owner and resident of Glendale, stated she is in support of this application. She wants to bring attention to the area and bring people to Glendale and its events and businesses. She added the nonprofit organizations that might advertise on these billboards will benefit everyone as well. She believes this will be a great advantage for Glendale. She noted that diversity and change comes with change and a change in policy is done to meet everyone's needs. However, she realizes they will not always make everyone happy.

Dr. Kathleen Goepfinger, President and CEO of Midwestern University and a Cholla resident, in opposition, stated Glendale has done much to raise the appearance of the community. She does not believe billboards enhance Glendale in any way. She does not believe this helps the long term economic development of the area. She provided financial information as to how much revenue Midwestern University and its students will bring to the city. She suggested staff's recommendation of denial should be supported.

John Stern, President of HOA Arrowhead I, stated they had approximately 1,600 homes, and most home owners opposed this application. Mr. Stern said he was aware of the financial problems of the city and they will not be solved by having billboards.

Rhyen Thompson, in support, stated she was Miss Black Arizona and a longtime resident of Glendale. She said she was here to support the application. She believes the billboards will bring in revenue and will help the community. She talked about the amendments Becker Boards had made in response to community concerns.

Esther Baldwin was opposed but did not speak.

Alan Baldwin, a Peoria resident, in opposition, stated they had been assured that no residents would see the billboards which was untrue. He explained there was an apartment complex across the street and those residents will see the billboards and this will not enhance their quality of life. He does not feel the billboards will draw in enough people to justify building them.

Arron Cultrano, President of Cultrano Arizona Troop Run, Inc. stated he was in support of the billboards as his organization has benefitted from the free advertisement offered on these billboards. He said that Honor Remember was a nationally known organization that presents gold star flags to military families. He described some instances where travelers noticed advertisement on billboards. He said he really only had positive things to say about Mr. Becker and all he does in the community.

Art Dobbelaere, Midwestern University, in opposition, stated he agreed that billboards were an additional distraction to drivers among other distractions. He said that billboards were unsightly. He believes the advertisement of non profits was a wonderful feature, however, that will only take place when the billboards were not being rented. He said the billboards are being constructed for rental and revenue generating purposes.

Kathryn McKinney, in support, stated she operates a business in Glendale and contracts with the Glendale Union High School District. She was also a prior commissioner on the Commission with Persons with Disabilities. She asked them to please consider those that were opposing this application had misinformation. She explained that the billboards were far enough away from the homes and were not blocking anyone's views. She said Glendale was becoming a major, municipal city in the valley and needs to make municipal decisions. Cities are known to advertise on its freeways. Ms. McKinney believes approval of this request would be beneficial.

Mark Becker, Becker Boards, commercial property owner in Glendale, stated he had over 1,000 signatures in support of this project. He said if this were a popularity contest they would have won since a recent poll gave them 77% of the votes. He reassured the Commission the billboards would not be facing any residential properties. He said the billboards must and will be facing the freeway, where they would be most profitable and beneficial. He agrees that the tax revenue issue was not as significant as the amount of traffic the city will receive with advertising. He noted city staff said the PAD would still be honored even with the approval of a billboard ordinance. He received assurances from the Planning Director that they had absolutely no issue with the billboards at this location because Bell Road and the Loop 101 were commercial in character and an appropriate place for billboards. He reiterated his comments regarding the large wash buffers Peoria residents have and that the billboard faces will not be facing residential properties. He cited the AZ Central poll who voted Becker Boards as the best.

Commissioner Penilla asked if he believed the poll on AZ Central was scientific. Mr. Becker stated his understanding was that it was an independent poll. Commissioner Penilla asked if he received copies of the letters in opposition. Mr. Becker replied he had seen every email and has reached out numerous times to anyone opposed and anyone who would listen to please contact him to discuss the issues. He said that only three have responded.

Mr. Chris Jacques, City of Peoria, Director of Planning for the City of Peoria, stated he was in agreement with staff's recommendation of denial. He stated the City of Peoria was not currently pursuing digital billboards. He said there was a series of community meetings to explore opinions regarding digital billboards. He said the placement of the billboards was not appropriate for the area and affects Peoria residents negatively. He said he opposes this application.

Commissioner Aldama asked about P83 and if it had any proponent of having billboards. Mr. Jacques said there are no billboards proposed within P83. However, there are other sign assets within the district at which they are looking. Vice Chairperson Larson asked for clarification since billboards had been discussed with their City Council. Mr. Jacques said they did have a few study sessions with the Council regarding digital billboard placements within the city. However, those were just ideas to give Council and show some locations.

Deanne Sulwer, in support, did not speak.

William Thompson, a Cholla resident, in opposition, stated the billboards proposed are higher than the billboards within the vicinity. He believed people can be distracted from billboards and residents will be able to see them. He said he supports staff's recommendation and encouraged the Commission to recommend denial.

Chairperson Petrone asked Mr. Thompson if he recalled anyone in support of this application that attended the neighborhood meeting. Mr. Thompson said he heard no one that was in support of this application.

Jesus Rivera, a Glendale resident, stated he wanted to show support for the billboards, and has stated he has lived in many districts in Glendale. He stated the city was in need of revenue. He realizes the billboards are not going to remove Glendale's deficit but will assist in bringing revenue to the city.

Jim Derrig, a Cholla resident, stated he is opposed to all billboards in any jurisdiction. He said billboards detract from natural beauty. He said there should be no more distractions that cause accidents. He said we need to balance the gains of a few to the unhappiness of many. He asked the Commission to please deny the request.

Karina Grijalva, in support, did not speak.

Tom Nugent, in opposition, did not speak.

Suellen Brady-Nugent, a Cholla resident and opposed, presented a petition with over 600 signatures in opposition to the billboards. She asked the Commission to please deny the request. She presented additional signatures in opposition.

Roman Rosales, in support, did not speak.

Jarrett Maupin, Sr., stated he was in favor of this application. He stated he has seen some beautiful billboards in the valley. He said all billboards are not unsightly. He felt the Commission was biased and stated those in favor of this request are being treated differently than those in opposition to this request.

Joshua Baldwin, a Peoria resident, and Glendale volunteer, received his education in Glendale, and shops in Glendale, stated he was not in favor of this application. He felt the younger generation relies heavily on social media and static billboards would not be most effective.

Chris Van, a Cholla and Hidden Manor resident, stated she was supporting the Peoria residents who will be affected by the proposed billboards if they are constructed.

Ms. Jordan Rose thanked the Commission for their time on this application and said she appreciated all the comments tonight. She said the billboards on the Loop 101 are going to be obstructed by a future building allowed in the Commerce Center.

Lucy Hernandez, resident of Glendale, stated billboards have important information. She does not have a computer and relies on billboards for information. She said when people get lost on the freeway, the billboards help provide direction.

Reverend Maupin stated he has a genuine concern for the people of the city. He said the Commission was turning down untapped revenue. He believes the city will miss out on revenue because every penny counts. He explained that currently the city is attempting to outsource services to save money as well as asking the legislature for assistance to cover the costs of the upcoming Super Bowl. Therefore, the city should take any amount of revenue offered. Mr. Maupin Sr. said most of the opposition was because of aesthetics. He noted that billboards can be made to be beautiful; they do not have to be unsightly.

Chairperson Petrone closed the public hearing.

Mr. Froke commented on Mr. Becker's earlier remarks regarding him possibly being misleading in his discussions with Mr. Becker. He explained that in his office, he meets with a lot of people and has many meetings on an application that might or might not eventually come before the Planning Commission and Council. Consequently, he does not remember the discussion quite the way Mr. Becker does. He noted with that said, he would like to reiterate his opening remarks stating that this was a commercial corridor and has been for decades with residential nearby. He stated his recommendation stands as noted earlier for denial of this request.

Commissioner Aldama asked for clarification on the process if the Commission were to approve the application with the stipulations. Mr. Froke explained. Commissioner Aldama asked how the city received the 2.9%. Chairperson Petrone stated the business person would file with the city when they pay taxes. Deborah Robberson, Deputy City Attorney, added the 2.9% was not paid on a per advertisement number but on gross revenues.

Chairperson Petrone remarked that this Commission had approved every measure that has come before them and have been pro-business.

Commissioner Johnston stated this was a difficult decision since he was pro-business. He thanked everyone for being respectful when making their point and presentations. He said that having weighed everything personally and listening to both sides, he recommends denial.

Commissioner Penilla stated the Commission's primary responsibility was to serve the public's interest by representing the community as a whole and in that regard; they have to balance both the public and the private interest. He said the application was contrary to the long existing environmental sign guidelines that have been established since 1997. He added it was also inconsistent with the original PAD of 1989 and in direct conflict with time, effort and money that the city has spent to try to reduce the number of billboards in the city. Therefore, he recommends denial of this application.

Commissioner Larson thanked the residents for coming out and speaking tonight. He also appreciated hearing both sides of the issue. He also recommends denial of this application.

Commissioner Aldama thanked everyone for coming out tonight. He said he weighed each side carefully but ultimately his vote was for the citizens of Glendale. He stated his vote tonight was to protect the neighborhoods and ensuring they maintained their integrity. He recommends denial of this application.

Commissioner Berryhill stated he wished there had been more meetings since their might have been some confusion and possibly not enough information. He recommends denial of this application.

Chairperson Petrone thanked Rose Law Group and Mr. Becker for their presentations and association with the city. However, sometimes, applications are not appropriate at particular locations. He said he made a pledge to his constituents to work for them. Therefore, after listening to all the information presented, he must vote aye and defeat the billboards for the district.

Commissioner Penilla made a motion to recommend denial of ZON13-04 as listed in the staff report. Vice Chairperson Larson seconded the motion, which was approved unanimously.

Ms. Deborah Robberson, Deputy City Attorney stated the Planning Commission's actions are not final. The Commission's recommendation will be forwarded to City Council for further action.

Chairperson Petrone commented that the City Council does not have to accept the Planning Commission's recommendation and they still have another chance. Mr. Froke stated this matter was scheduled for City Council on Tuesday, February 25, 2014.

OTHER BUSINESS

Chairperson Petrone called for Other Business. There was none.

PLANNING STAFF REPORT

Chairperson Petrone asked if there was a Planning Staff Report. There was none.

COMMISSION COMMENTS AND SUGGESTIONS

Chairperson Petrone called for Comments and Suggestions. There were none.

ADJOURNMENT

With no further business, adjourned at 9:13 p.m.

NEXT MEETING: February 20, 2014