



CITY OF TOLLESON

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**TOLLESON PLANNING AND ZONING COMMISSION MEETING ACTION MINUTES
TOLLESON CIVIC CENTER
9055 WEST VAN BUREN STREET, TOLLESON, AZ 85353
ZOOM WEBINAR ID: 837 6398 3293
TUESDAY, MAY 13, 2025
5:00 PM**

Doors open to Council Chambers at 4:45 PM for public seating. The public may be asked to temporarily relocate if an executive session occurs. The public will be invited back into Council Chambers when the Planning and Zoning Commission returns from executive session.

Members of the public may also participate in the meeting via [Zoom Webinar \(https://us02web.zoom.us/j/83763983293\)](https://us02web.zoom.us/j/83763983293) with a computer or cell phone.

A. CALL TO ORDER

Chair Paxton called the Tolleson Planning and Zoning Commission Meeting to order at 5:01 PM

B. ROLL CALL

Commission: Chair Caroline Paxton, Commissioners Sheryl Heier, Diana Ruiz and Miriam Segura.

Commissioner Joe Cortina was absent.

Administration: Development Services Director Jason Earp, Chief Technical Officer Steve Holliday, Deputy City Clerk Citlaly Salas and City Clerk Crystal Zamora.

C. FINAL CALL TO SUBMIT SPEAKER REQUEST FORMS

All citizens and interested parties wishing to speak before the Commission during a public hearing shall fully complete a Speaker Request Form and submit the form(s) to the City Clerk prior to the meeting being convened. Citizens must complete one form for each item they want to address. Speaker Request Forms are located at the entrance of the Council Chambers. For Zoom participants, click the chat button, and enter your name and the item you would like to address. Submissions should be made no later than the Mayor announcing the "Final Call to Submit Speaker Requests". **All speakers will be limited to 3 minutes unless otherwise noted by the Chair.** Speakers are not required to disclose their identities or personal information. You may also submit an online speaker request form at



<https://www.tolleson.az.gov/formcenter/city-clerk-15/speaker-request-online-form-66> at least one hour prior to the meeting.

D. BUSINESS FROM THE FLOOR – PUBLIC HEARINGS AND ACTION ITEMS

1. Public Hearing – Soliciting comments from interested parties in reference to Use Permit Application #25040001 as submitted by Michael Muniz, on behalf of the owner, Paul Mascola/Take 5 Oil Change, for the construction of a new 1,700 sq. ft., 3-bay oil change building with a total of 14 parking spaces, to be located at 425 North 99th Avenue, Tolleson, Arizona. The site, APN 102-53-354, is approximately 26,136 square feet and is zoned General Commercial (C-2). (Take 5 Oil Change)

Commission Action: Recommend/Reject Use Permit Application #25040001.

The public hearing opened at 5:25 PM and closed at 5:39 PM.

Commissioner Heier made the motion to recommend Use Permit Application #25040001; the motion was seconded by Commissioner Segura. The motion carried 4 to 0.

E. REGULAR AGENDA – ACTION ITEMS

1. Approve Planning and Zoning Commission Meeting Minutes of October 25, 2022.

Commissioner Ruiz made the motion to approve the minutes; the motion was seconded by Commissioner Heier. The motion carried 4 to 0.

F. WORK STUDY – FOR DISCUSSION

1. Annual Review of the City of Tolleson Code of Conduct for Elected and Appointed Officials – Justin Pierce, City Attorney

G. ADJOURNMENT

Commissioner Ruiz made the motion to adjourn at 5:40 PM; the motion was seconded by Commissioner Heier. The motion carried 4 to 0.

Pursuant to A.R.S. § 38-431.01 and A.R.S. § 38-431.02, notice is hereby given to the members of the Tolleson Planning and Zoning Commission and to the general public that the Planning and Zoning Commission of the City of Tolleson will hold a meeting open to the public. Planning and Zoning Commission Members of the City of Tolleson will attend by telephone/video conference call.

Note: The Planning and Zoning Commission of the City of Tolleson, by a duly passed motion, may vote in public session to adjourn to executive session on any agenda item in conformation with

A.R.S. § 38.431.03 for legal advice from the City Attorney.

Zoom's live transcription feature can provide automatic captioning by clicking on the Closed Caption (CC) button during the meeting.

THE CITY OF TOLLESON ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES. With at least two business days advance notice, accommodations can be provided at this meeting for individuals with vision, hearing and/or speech disabilities, including a transcriber, large print, an interpreter, an assistive listening device, etc. Please call the City Clerk at (623) 936-7111, or TTY users may dial 711 for Arizona Relay Service (AZRS), to request an accommodation to participate in this public meeting. The City will try its best to accommodate any last minute requests.

LA CIUDAD DE TOLLESON SE ESFUERZA PARA HACER TODAS LAS REUNIONES PÚBLICAS ACCESIBLE PARA INDIVIDUOS CON DISCAPACIDADES. Con al menos dos días laborables de previo aviso, se pueden proporcionar adaptaciones en esta reunión para personas con discapacidades visuales, auditivas o del habla, incluido un transcriptor, letra grande, un intérprete, un dispositivo de asistencia auditiva, etc. Llame a la Secretaría Municipal al (623) 936-7111, o los usuarios de TTY pueden marcar 711 para el Servicio de Retransmisión de Arizona (AZRS), para solicitar un alojamiento para participar en esta reunión pública. La Ciudad hará todo lo posible para satisfacer cualquier solicitud de último minuto.

Post-Production File

**City of Tolleson
Planning and Zoning Commission Meeting Minutes
May 13, 2025**

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PAXTON: I'm going to call this meeting to order. Good evening, everyone. I am Chair Caroline Paxton. Today is May 13th and I would like to call this meeting to order. Roll call. Please state that you are present.

Commissioners Joe Cortina. Sheryl Heier.

HEIER: Present.

PAXTON: Diana Ruiz.

RUIZ: Present.

PAXTON: Miriam Segura.

SEGURA: Present.

PAXTON: Final call to submit speaker request forms. Deputy City Clerk Salas, do we have any submissions?

SALAS: No.

PAXTON: Okay. So now we will go to work study. Work study for discussion. City Attorney Pierce, you have the floor.

PIERCE: Thank you, Chair. Good to be here with you guys. Let's go ahead and put the presentation up. Does this move it? All right. Since you are newly seated, I was asked to come. And now your item says annual training. We probably won't do this annually. We'll probably do it as needed, depending on the changeover. I think that was a carryover from what we do for Council, because there's often changes there. But this is to just familiarize you with the Tolleson's Code of Conduct as it pertains primarily to the Council. But there is a section that pertains to boards and commissions of the City as well, mostly as it pertains to Council conduct with you. And so we'll share some of that with you, provide it to you, and also give you a little bit of some Open Meeting Law training, so that you can be familiar with the Open Meeting Law.

So the Tolleson Code of Conduct, from the Code of Conduct, it says that there are -- that we've established, obviously, several boards and commissions for a number of reasons. You happen to be one of them, of the Planning and Zoning Commission. The admonition to the Council in the Code of Conduct says -- and there are some sections under this that that articulate this further -- but that if a Council member is attending a

commission meeting -- and that will happen sometimes, because maybe there's a high-profile sort of a rezoning issue or something like that, and maybe there's a lot of public that's interested in the particular issue, and so there may also be a Council member that comes. Those Council members are supposed to -- I try to train them not to do this, but sometimes they just can't help themselves. If they come and they're speaking, they're speaking as a citizen, not as a Council member to the commission at that point in time. They're only allowed to express personal opinions, not express the will of the Council in that sort of a setting. They are really supposed to limit their contact with you, except perhaps to ask for questions or get clarification on something. The idea, again, being that you're an independent body. You're supposed to provide a separate set of eyes on these things, and so that the Council can then review that. Now they have a lot of discretion. They don't have to necessarily take your recommendation. But your recommendation should be free from their influence at this phase of the process. So you serve the community, not any individual Council member or Mayor. So you don't report to a Mayor. You don't report to an individual Council member.

The Council is admonished to be respectful of diverse opinions. Keep political support away from public forums. There's -- you know, we want to try to keep this as neutral and objective a process as possible, so that anybody that's coming before the commission with business, whether it, again, be for a rezone or a use permit, like you're going to be hearing today, that there's no -- that it's truly an objective process that's just governed by the law.

And for -- in the Code of Conduct, it says inappropriate conduct. I think, you know, we won't go into all of the things that can be inappropriate conduct. But I think you understand a little bit what that might be. Inappropriate conduct can be cause for removal from boards, commissions. If inappropriate conduct is ever noted and you have an issue, that should be reported to the Mayor. The Mayor can bring the situation to the entire Council if that ever happens. That is very unlikely. I have not seen that. I've never seen that. So I'm sure that will be fine there.

So let me -- the end of the Code of Conduct just basically is one of those, you know, be

nice, play well with others, sort of a Code of Conduct. Don't, you know, be antagonistic, hostile, those sorts of things. This is just directly from the Code of Conduct.

So my little comment at the end there is, you know, if an employee of the City said the thing that we're talking about, would he or she be disciplined for harassment or hostile work environment, bullying, that sort of a thing? If so, then it's conduct that is commission members and obviously Council members and others should hold themselves to as well.

Any questions about the Code of Conduct? And you'll have a copy of it. So there's nothing truly that -- you don't have to study it. There's nothing that you really need to know other than just be nice.

Okay. Open Meeting Law. I don't know how familiar you are with the opening -- I know that -- I think, Caroline, you've been on commissions before. How many of you -- have you served on commissions before or boards? Okay. Good. So the Open Meeting Law is -- in Arizona, it's business of a public body is presumed to be open to the public, so that for transparency reasons so that everybody can see what's going on. Why? To maximize public access and participation and shine light on government activities. We want to -- what is it? Yeah. Sunlight is said to be the best disinfectant. To make sure that things aren't happening that shouldn't be happening behind closed doors. So we try to keep everything out in the open as much as possible. We'll talk about some of those exceptions here in a little bit for executive sessions.

Now, why should you care about it? Official actions of this body, if it's in violation of the Open Meeting Law, are null and void. So anything that you've done, if it's in violation of the Open Meeting Law, it's as if it never happened. Open Meeting Law complaints go to the Attorney General's Office, and I've had to defend several of those in the course of my career. I've defended several charges that come from the Attorney General's Office that say, hey, we've been informed that an Open Meeting Law may have -- or violation may have happened, and then we have to get involved in all of that. So of course, that's one of the reasons why it'd be important, so that you don't have to get yourself into an Attorney General investigation where there are potential penalties that include

penalties to the officer themselves. And my very first -- I'm going to age myself a little bit -- 20-something years ago, I started practicing law. Laughing (indiscernible) I started practicing law, and I went to a big law firm in Arizona. That was my first job. And like, I think this was the first -- if it wasn't the first -- it was the first, you know, two or three assignments that I ever received was when a lawyer came in to my office and said, hey, one of our clients just got hit with an Open Meeting Law complaint, and we need to defend it. And the lawyer handed it to me and said -- you know, I was a brand-new lawyer. And they're like, okay, I want you to do some research on this and see what we need to do to defend the claim.

And I can tell you that I remember reading it at the time thinking, this is no big deal. It didn't seem like a big deal. In fact, the lawyer that I was working with agreed it was no big deal. She had been actually a former attorney in the Attorney General's Office, and had investigated Open Meeting Law complaints. So she was an expert in this, and she was like, this is nothing. There is nothing here. End of the story. So we defended it, but the end of the story, the Attorney General Office found a violation of the Open Meeting Law, explained what happened in that case. But found a violation of the Open Meeting Law, and my memory is that like, I think it was a community college board, not in this area, but it was a community college board, and they were each fined like 250 bucks or something. I mean, which, it's not like an exorbitant -- it's not a lot. But could you imagine getting hit with, like, a \$250 fine from the Attorney General's Office? And you're like, I am pretty much a volunteer here.

So it's important to know that those penalties are there. And again, that 20-plus year career that I've been -- and I've done a lot of these, that's the only time I've ever had that happen, right out of the gate where they issued that sort of a fine. Usually, the Attorney General's Office comes in and says, oh, well, this looks like it was a technical violation. You know, the Open Meeting Law is not super easy to navigate, so they don't usually smack people. It's more just, hey, okay, get some training and don't do it again. So I'm telling you that tonight so that you're not scared. I want you walking out of here thinking, oh my gosh, I'm going to get hit with a fine. Don't worry about it. You should

be fine. But those are the potential issues that can come up.

When does it apply? Okay. For the Open Meeting Law to apply, two things have to be there. One, you have to be part of a public body. You are considered a public body. And for -- under the Open Meeting Law. Commissioners of a commission of a city or town, a board of a city or town, are considered a public body. So you're a public body, you meet, number one. Number two, when the public body is "meeting". Now that I've put in quotes because you first have to answer, what is a public body? We've done that. Now what is a meeting? This is the more difficult one.

You might think, well, that seems simple, Justin, we're in a meeting here today. It's not that simple because -- let me skip the that. What is the meeting? It used to be that, you know. Right? You know, the Founders, you know, you're all together. Now we have electronic devices that can put us into meetings and other things. So we're going to talk about some of those things. A meeting occurs anytime a quorum of that body discusses, proposes, or takes legal action. When can those things happen?

So a quorum, first of all, is when -- so a five-member body, a quorum is three. Vacancies and absences don't reduce that quorum requirement. So if you had one vacancy, it would still be three members as a quorum. So how can a meeting happen? Does it have to be a formal thing? You could be in a meeting, and you may not even realize it. And that was, by the way, what happened in that very first case that I defended. It was some emails that had gone back and forth among commissioners, and they didn't realize that -- two of them didn't realize that these two also got the same information from another source. And so it was really what we call a spoke-and-wheel theory that's splintering the quorum. I probably have some slides on this, but that was how it happened. And they didn't even realize that it had happened. And that was why the Attorney General said, no, that was technically a meeting, and I'm going to smack you on the wrist for it. So it can happen in person, it can happen virtually, via email, via text or social media messages, telephone conversation, any way in which messages can be passed from one person to the next of that public body.

HEIER: Let's say, we're at a restaurant, and I'm there. Then she shows up, and then she

shows up. The people -- sorry -- good people necessarily think that we're having a quorum because they know we're commissioners from Planning and Zoning for the City of Tolleson?

PIERCE: That is a great question, because I advise -- and I'm going to advise you, if you're at a restaurant and you two are sitting together talking, which is totally fine, and a third shows up, one of you three -- don't go sit down with them, even if you're there not talking about anything related to planning and zoning in the City. You're right. Because somebody could see.

Now, could I defend that? All day long. I'd be able to defend that and say, well, wait a minute, that wasn't a meeting because even though a quorum of them was present, they were not discussing, proposing, or taking legal action. The problem is, it's a he-said, she-said, so it's just better not to be together in one place where you are all talking to each other.

Now, you might be friends and you're like, oh, that kind of stinks. But that's okay. You guys can talk individually. Just don't find yourselves at a public event somewhere doing that, or going over to each other's houses. People will assume, oh, you're commissioners, therefore you must be talking about this business, even if you're not. So it's a good practice to not do that.

So serial meetings. This is where the issue comes up that I was talking about where it's like multiple emails and things. So you've got a discussion happening among members that are less than a quorum. So let's take your example of, you're at a restaurant together. So you two are at a restaurant together. You're talking, and you're talking about an upcoming item that's going to be discussed, maybe a use permit or a rezone, which is totally fine. You two are absolutely allowed to do that. So now Caroline leaves the meeting -- or the -- yeah, the meeting, the lunch, or the restaurant where you guys are at. And she goes over to Miriam's house and she's like, hey, how you doing? It's like, hey, by the way, you know, we got this thing coming up, and I was just talking with Diane about that. You've just splintered the quorum. You've had a serial meeting where it wasn't just one event, but because the three of you have now discussed the

item outside of a properly noticed meeting, a quorum has discussed -- there's been a -- that would be an Open Meeting Law violation.

So you've got these slides with you as well. So if you have any questions on them, I'm not going to go cover them all in depth, but don't use the reply to all. Don't forward. That's an easy way to get yourself into an Open Meeting Law issue, is the reply to all. So if you ever get something on an email about City business, if you have a question about it, if you've got a legal question about it, you send it over to me. Just don't include everybody with it. Don't do a reply to all, or don't forward to me and copy everybody and say, hey, I have a question about this. You can do that individually, but don't do it as a group.

Yeah. Even proposing legal action in a one-way email communication. So if you guys were, you know, Miriam sends an email to the group, says, hey, at the next meeting, I really think we should this, this, this, even if nobody responds, that one email proposed a discussion item or legal action to the group, considered -- that was considered a meeting under the Open Meeting Law.

Social media. This is the real -- yeah, this is so funny because like, again, when I first started practicing law, there wasn't -- it was 20-plus years ago. It was a long time ago. I don't think Facebook was really -- no, I think it was MySpace or something like that back then. So Facebook, it wasn't even a thing.

Well, now I've had situations where -- let's say you're all friends on Facebook, and Sheryl posts something out there, you know, "City of Tolleson is such a great place to do business, we're going to be considering a rezone in an area, I hope that everybody appreciates how great this is for the City of Phoenix -- for the City of Tolleson" and whatever else. So there's your post. Is that okay? Yes, it actually is. Okay. You could do that. That would be totally fine. Yeah. I was going to say. Probably not -- I mean, doesn't matter, right? But it would be legal. It would be legal for you to do that. Now Miriam sees the post. Still fine. It's fine to -- it's just like, you could go and do an interview with a reporter on the issue, you know, but like media, it's totally fine to do that. Miriam sees your post and she clicks like. And then Caroline sees it and is like,

like. Three. Seriously. The like button. It just created an Open Meeting Law violation. I mean, this is the world we live in today. So you have to be mindful of those sorts of things. Just -- if you're like me, just pretty much stay off social media, don't post, and then everything's great.

Let's see. Let's go past social media to attending other meetings. This is a good -- kind of like your restaurant point. But let's say you guys are all going to go somewhere and tour a piece of land that you wanted to get more information about, because there's going to be a question about, maybe, again, a use or a rezone or something like that. If you're going to do that, even if you're not going to talk -- we typically like to post and notice everybody, hey, there -- a quorum will be present, but they will not be discussing or proposing anything that won't be public business, that will be adopted. But if that were to happen, then that would violate the Open Meeting Law.

Calling a meeting not important -- executive sessions. So this is as I said, we try to do everything out in the open. You do have options to meet in executive session to -- for a number of reasons that allow you to then have a discussion outside of the purview of the public.

There could be some reasons for that. Even in the context of a planning and zoning commission, I want to give you some of the options, some of those options. They're all right there. It's basically nine. Yes. There's nine bases for executive sessions. Almost none of these are going to apply to a planning and zoning commission. These will all apply in one form or another to a City Council. But labor negotiations, not going to come up in your service as a member of the Planning and Zoning Commission.

International, interstate, tribal negotiations is not going to come up. Purchase, sale or lease of real property is not going to come up. Now you're going to look at some rezoning and things like that. Safety operations. No. No, no, no, no.

So what is going to potentially come up, number 2 and number 3, the second and third bullets, the discussion or consideration of confidential records, that can happen sometimes as it pertains to deeds and other things. It's unlikely to happen here. The one that you'll potentially have a need for an executive session, would be for legal

advice. So if there was a question about a legal issue associated with it, and you needed to have that in a confidential setting to be able to receive legal advice on what you were allowed to do or not allowed to do, we can do that. I would say in my experience, it was with the Tolleson Commission, and even with some of the others, it is extraordinarily rare. I'm not even sure that we've gone into executive session once in Tolleson. I know I've done it once or twice in a couple other places where there was some novel legal issue, but that's probably unlikely for us to happen here.

So the agenda. Not that important for you, because we will help you with that. The clerk will help put the agenda together, but agendas are required in order to be compliant with the Open Meeting Law, has to give the public notice of the things that you're going to be discussing.

So key takeaways -- one, Open Meeting Law requires business be done in public; two, a meeting can happen anywhere that you have the opportunity to share that sort of information, again, electronically, social media. Executive sessions, very narrow circumstances. There are potential penalties that come with Open Meeting Law violations. So it is important. And I know you were not thinking of it any other way. But you know, sometimes people go, ah, whatever, Open Meeting Law. It would be important to make sure you're following that. And Arizona's public policy does favor openness. So I've always advised, when in doubt, be open with it. And then that's usually -- we find any questions, any -- and this isn't like, speak now or forever hold your peace because if things come up, you know, during your service we can always convene and talk about it. So.

PAXTON: (Indiscernible).

PIERCE: So for you guys, if you have something, you can send that to the clerk, and the clerk can help work with you on that. The reality is, for your service as a commissioner, most of the stuff that's going to be on the agenda is going to be done for you, because they -- the City knows what items are coming. If there's been an application for a rezone or a use permit or whatever it might be, that's going to come to the City first. So 99.9 percent of the time, the agenda is going to be created for you and say, hey, we

need to call a meeting because these items of business are needing your attention.

Okay. Well, like I said, I'm always available as things come up, whether during meetings or between meetings, if you want to reach out. Happy to help with any of that. So.

Okay. Thank you very much, Madam Chair.

PAXTON: Okay. Thank you. We're learning.

EARP: He just told him not to do this (indiscernible).

PAXTON: Now we'll move on to business from the floor, public hearings and action items. Public hearing, soliciting comments from interested parties in reference to Use Permit Application #25040001 as submitted by Michael Muniz, on behalf of the owner, Paul Mascola or Take 5 Oil Change, for the construction of a new 1,700 sq. ft., three-bay oil change building with a total of 14 parking spaces, to be located at 425 North 99th Avenue, Tolleson, Arizona. The site, APN 102-53-354, is approximately 26,136 sq. ft., and is zoned General Commercial (C-2). (Take 5 Oil Change).

I will now open this public hearing and turn this over to Developmental Services Director Earp and the applicant.

EARP: Thank you, Chair Paxton and commissioners. Welcome to the new commissioners. It's been, I think, what, three years since our last one. So it's pretty exciting to have a full board to come forward to you with some of these issues. So just kind of give you a quick background, anything that's automobile-related that has to do with repairs needs a use permit. So tonight, they'll -- Take 5 will be presenting their project. Then you make the recommendation to the City Council if you want to approve it or deny it. And then at 6:00, during their Council meeting, they will have the opportunity to hear the same that you're hearing now, they take into consideration to your recommendation, then they'll approve or deny.

So this project is on 99th Avenue between the Starbucks and Freddy's Burgers [sic]. It's about a half-acre. It's a small lot. We're pretty excited. This would bring more synergy to the area, bring people to the area to hopefully also not only get their oil changed, but also patronize those other areas. But with that, I'll turn it over to Take 5 to give a presentation. Then after that, if you have any questions for any of us, we'll be happy to

answer.

RASKIN: Okay. That works. Okay. Go ahead and introduce yourself.

RENEAR: Hi. Excuse me if I'm a little out there. This is my first time doing one of these. My name is Douglas Renear. I'm an engineer with Atwell, who is -- I am currently representing Mike (ph.), who works out of one of our Florida offices. Being that I'm local, he asked me to come to the meeting, and I am obliging him. We are the engineer for the project. We have -- as far as I know, we've done full civil engineering scope, utilities, drainage, pavement, and the like.

RASKIN: Should I help out a little bit?

RENEAR: Yeah. Please go ahead.

RASKIN: Have you loaded your --

RENEAR: Yeah, because Mike told me he emailed it to the clerk this morning.

RASKIN: Oh, wonderful. Wonderful. Hi. My name is Randy Raskin. I reside at 7878 East Gainey Ranch Road, Scottsdale, Arizona. Madam Commissioner, nice to meet you. I understand you all are a new board. Is that correct?

PIERCE: Two out of the three.

RASKIN: Two out of the three? You're new? You're new? Wonderful.

HEIER: Been here for years.

RASKIN: Well, it's good to see you and meet you. So I am the principal developer of the entire site. So we developed from Van Buren all the way to Pierce on 99th Avenue. Take 5 came to us with this concept, I'm going to say about four months ago, maybe five months ago, and wanted to go on one of our smaller parcels adjacent to our Starbucks. And so I vetted them. Great concept, and took a look at your services that you currently have inside the City of Tolleson. And basically, after I talked with Jason (ph.), found out this might be a great addition for the community, having something that you don't already have.

So with that, let's take a look at the site plan. Okay. Well, this basically just highlights where the Take 5 project is inside of our overall development. Let's go ahead and get ourselves to the site plan itself. Okay. So if you take a look at the site plan, what you'll

notice is everything's connected. There's synergy between every single one of the pieces on this particular plan. So you can literally drive from Lot 1, which is the corner, which is the northeast corner of Van Buren and 99th Avenue, and never go out on the roadway, and cross all the way over to Lot 8, which is all the way to Pierce, without having to go to the major roadway. So all of these businesses and future businesses are connected via our internal roadways.

The grading and drainage concept was created for the entire development. So you're not going to have flooding that affects one parcel because another parcel drains into it. Everything was well thought of. Everything was designed to work well with the Tolleson infrastructure that you guys currently have in the City. We had two sewer taps and a couple of water taps coming off of 99th Avenue. We took advantage of what was there without having to go back into the street again and cutting the street. So we had one come in, and we actually did a plan that took advantage of a few of the taps, and spread them to all of the pieces.

Let's go -- and at any time, if you all have any questions, just let me know. We can circle back. This is the traffic pattern for the piece. So you'll see on the front of the piece, on the driveway that's on the west, we have two-way traffic as we do through the entire project. You'll notice that we do have traffic circulation going to the west, going around the parking stalls, and then entering into the oil change bays. So all of the dynamics with the business itself, I think my friend here can answer that for you. But that's essentially, you know, we're looking down on the project itself.

So let's go ahead and take a look. Do we have some -- okay. This is what our building looks like. Architecturally, it blends well with the architecture that's currently on site. There is some branding with a paint color that ties in the whole Take 5 oil scheme -- oils color scheme into the buildings itself, and you'll see that the bays are oriented toward 99th Avenue.

Okay. Let's go to the -- okay. So I'm going to go ahead and sit down, and I'm going to turn it over to you. Just explain what you know about the project, and we'll field questions.

RENEAR: Okay. Thank you. Well, so far, what I know is probably not as much as Mike, since I've only known about the project for about a week and a half now. But we've discussed it a little bit. I know there's some concerns with things like this. One of the big ones that he brought up was oil storage. From what we understand, it will not be -- there's not any underground storage of the oil. It will be in above-ground tanks that will be emptied on a regular basis. We were not -- I don't think he -- we never got to touch base on -- he was going to ask about that, but I can ask him about that for future reference.

I guess specifically, is there any questions you have? It's a little easier for me to tell you what you want to know, if there's anything you're confused on.

RUIZ: Barrels that you're going to have contained with oil. Are they going to be covered with, like, a bar? Like a cement? So nobody sees them, you know, like a block wall or something? Maybe, how high is it going to be? How high are those containers?

RENEAR: Okay. Go ahead.

RASKIN: Okay. So I know a little bit about this because this is one of the main questions I needed answering before I agree to do this. And the containment vessels will be inside the building. Okay.? They're above ground. And they have them -- they have pumping trucks come to pump them out as many times a week that they need them pumped out. And then that has to do with building -- with business volume. So you know, I'm sure over time they'll grow. They'll come more often. But nothing goes in the ground. There are no noises associated with this that'll escape the property. No lights that will escape the property. Everything's contained in the building itself.

RUIZ: That would be outside the building, like next to the wall where you have these containers with oil. That's what I thought it was going to be like.

RASKIN: No, no. Everything will be screened.

RENEAR: Inside, out of sight.

PAXTON: About safety and fire prevention. Things that (indiscernible).

RASKIN: That I can -- I can address this a little bit. Do you know anything about this?

RENEAR: Nothing more than in designing the building, there should -- their mechanical

plumbing engineers will design a fire suppression system. And given something flammable storage materials, they will probably have a specific, you know, not just simple water sprinklers. That will probably be on -- of course having chemical fire extinguishers on site, things of that nature.

PAXTON: Typically the bays are outside and it gets so hot. (Indiscernible).

RASKIN: You know, I'm sure that they are.

RENEAR: Yeah. Being inside the building, I would think so.

RASKIN: Yeah.

PAXTON: (Indiscernible).

RASKIN: True. Sure. But I know there's cooling inside the building itself. I don't know if it's HVAC or swamp cooling. Go ahead.

EARP: Our chief of building official's here, and he'll be able to answer that question for you.

RASKIN: Sounds good.

HOLLIDAY: So commissioners, how are you? No. The storage tanks are not cooled or heated. They're room temperature, if you will. The building itself is cooled. These are pretty common. You see them all over the valley. They're all very similar in the way they operate. And so the building will be sprinklered to protect the building. The temperature of the sprinkler head is related to the ambient temperature that it's in. So if it needs to be a higher temperature sprinkler head, it will be. All right? Yep.

RENEAR: Anything else?

HEIER: I only have one, but it's a Jimmy (ph.) question since I'm sitting in his chair. I know that we have an arts program here that we do murals on a lot of our buildings when they're facing the streets, so that it portrays the City of Tolleson. Would you be interested in adding a mural to your one wall that has nothing on it?

EARP: Commissioner, we will ask that question to Take 5. A lot of times they have a national brand, national look, and some of those, they're -- it's tough to get them to do a mural because then that loses their -- what everybody's known. what they're known like a Starbucks and that kind of thing. But we certainly will ask them for that.

EARP: And if there's no other questions, I just wanted to remind the board that staff is recommending approval.

PAXTON: Yeah. Thank you. (Indiscernible).

HEIER: I recommend the use of use permit application 2504001.

SEGURA: I second the motion. (Indiscernible).

PAXTON: Okay. Thank you. All in favor, say aye.

ALL: Aye.

PAXTON: All opposed, nay? Motion carried.

Now we'll move forward to regular agenda action items. Approved Planning and Zoning Commission meeting minutes of October (indiscernible).

RUIZ: Motion to approve.

HEIER: I second.

PAXTON: All those in favor?

ALL: Aye.

PAXTON: All those opposed? Motion carried. Moving forward to the agenda. Do we have a motion to adjourn?

RUIZ: I motion to adjourn this meeting.

PAXTON: Is there a second?

HEIER: I second.

PAXTON: All those in favor?

ALL: Aye.

PAXTON: All those opposed? Motion carried. Meeting adjourned. Have a wonderful night.

APPROVED:

 Paxton (Apr 1, 2026 15:18:00 PDT)

CAROLINE GEM-PAXTON, CHAIR

ATTEST:



Citlaly Salas (Apr 2, 2026 09:59:54 PDT)

CITLALY SALAS, DEPUTY CITY CLERK

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING MINUTES ARE A TRUE AND CORRECT COPY OF THE MINUTES OF THE MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOLLESON, ARIZONA, HELD ON MAY 13, 2025. I FURTHER CERTIFY THAT THE MEETING WAS DULY CALLED AND HELD, AND THAT A QUORUM WAS PRESENT.



Citlaly Salas (Apr 2, 2026 09:59:54 PDT)

CITLALY SALAS, DEPUTY CITY CLERK









05 13 25 Planning and Zoning Commission Meeting Minutes

Final Audit Report

2026-04-02

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