

Criteria for Approval

Planning and Zoning Commission may recommend, and City Council may approve the application for a Special Use Permit if:

- i. the proposed special use is determined to comply with the intent of all applicable requirements of the Code and with adopted plans and policies of the City;
- ii. the application demonstrates mitigation of potential impacts; and
- iii. the following general criteria are met:

Master Plan, Zoning District, and UDC

(a) The use complies with the purpose and intent of the zoning classification of the property, as well as any applicable supplemental regulations as required by Council.

(d) The use shall have no more adverse effects on health, safety, or comfort of persons living or working in neighboring properties or shall be no more injurious to neighboring properties than would any other use generally permitted under the same categorical zoning designation.

(b) The use is consistent with the Comprehensive Master Plan.

Compatibility with Surrounding Land Uses

(c) The establishment, maintenance, or operation of the proposed use shall not endanger or be detrimental to the public health, safety, morals, comfort, or general welfare of the community.

(f) The proposed use shall not injure the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.

(g) The proposed use shall not impede the orderly development and improvement of surrounding

property for uses permitted therein.

(j) The use will not create detrimental impacts on the potential for future development of neighboring properties; and

(k) The public interest and welfare supporting the use shall be sufficient to all interests that are adversely affected by the establishment of the proposed use.

Access, Circulation and Parking

(e) The use will not result in traffic volumes or circulation patterns that negatively affect streets and intersections likely to be used by traffic to and from the proposed development without approved mitigation of impact;

(h) The use will not create detrimental operational impacts, through hours of operation, management of traffic, servicing and loading operations, and any on-site operations associated with the ongoing functions of the use on the site, on neighboring properties.

Environmental (Landscaping and Buffers, Tree Mitigation, Drainage, Light, Noise, Nuisance, Other Environmental regulations, etc.)

(i) The use will not create detrimental health and safety impacts, such as noise, emissions, or vibrations, through functions within the proposed site.

Utilities (Do we have adequate utilities to serve the proposed use? Any major improvements? Need to know before approval of SUP)

Architectural Elevations Building Materials, Colors, and Design – Discussion

Miscellaneous – If needed, anything we didn't cover that needs to be or anything unique.

Examples:

Master Plan, Zoning District, and UDC

The subject property is designated as Medium Density Residential (2.5 - 4 dwelling units per acre) on the Land Use Map of the General Plan. The proposed use is not consistent with the General Plan but is allowed by the PAD zoning subject to a conditional use permit.

The site is located within a small neighborhood shopping center. Fast food restaurants with drive thrus are not uncommon in these types of centers. A drive-in restaurant is less common, but will not adversely affect the shopping center or the surrounding area if it is properly located, designed, and managed.

The proposed site plan satisfies all setback, landscaping, and parking requirements.

The subject property is designated as public facilities on the Land Use Map of the General Plan and the North Avondale Specific Plan. The site was intended to house the West Valley Fine Arts Center at the time the General Plan was adopted. The existing PAD zoning is not consistent with the Public Facilities designation of the General Plan. However, the proposed use is allowed by the PAD subject to conditional use permit approval.

Compatibility with Surrounding Land Uses

Drive Thru Example

The proposed use is located on a pad at the edge of the center adjacent to a single family subdivision. Large rural lots are located to the south across Lower Buckeye Road. The outdoor nature of the use initially raised some compatibility concerns. These concerns have been mitigated by revisions to the site plan and landscape plan and by staff gaining a better understanding of the proposed lighting plan.

PAD B has a depth of 203 feet. The adjacent subdivision to the west has a landscaped retention basin along Lower Buckeye Road with a depth of about 120 feet. Only two lots abut the remainder of the property line.

Most of the drive-in stalls will be screened from the single-family lots to the west by the building. The minimum distance between the drive-in stalls and the nearest lot is 89 feet. The closest lot to the south is located 210 feet away across Lower Buckeye Road.

A 33 foot wide landscape buffer will be provided between the drive-thru lanes on the west side of the building and the adjacent subdivision. The landscape buffer now includes a 3'-4" high split face block wall for sound attenuation and visual screening. Additional trees have also been added to help screen the drive thru from offsite view.

The menu board for the drive thru is set back 60 feet from the west property line. A separate freestanding drive thru speaker with a maximum height of three feet will be used. The building and drive-thru window are setback 53 feet from the west property line.

The sound study submitted by the applicant indicates sound levels that would be acceptable at an urban location. The ambient noise level in the immediate area, however, is relatively low especially at night when sound tends to be the most disruptive. Staff was initially concerned that noise from vehicles, the drive-thru menu board, the drive-in order terminals, the outdoor music speakers, the outdoor patio, and the drive-thru window might adversely affect nearby residences. Revisions to the site plan and nighttime visits to other Sonic facilities have resolved these concerns.

Staff has gained a better understanding of the lighting plan through the site plan review process. As a result, offsite glare and the overall level of illumination is no longer an issue.

Office Complex:

- The Dysart Ranch single-family subdivision is adjacent to the west boundary of the site and across Osborn Road to the north. The buildings are setback a minimum of 55' from the residential property lines on the west and 120' from the residential property lines across Osborn on the north. All buildings exceed the minimum setback of 50 feet.
- The Zoning Ordinance requires a landscape buffer with a minimum width of 10 feet adjacent to existing single-family zoning. A 10 foot landscape buffer is proposed on the west boundary of the site that includes blue palo verde and Phoenix mesquite trees. Staff is recommending a stipulation requiring these trees to be a minimum size of 24" box to ensure adequate buffer along the western property line. This buffer will be enhanced by the construction of a landscaped path in the abandoned 131st Drive.
- The Zoning Ordinance requires a 6' masonry wall separating commercial from adjacent residential uses. There is currently a 6' screen wall along the perimeter of the residential subdivision to the west. A three foot masonry screen wall is proposed along the western edge of the proposed office development to screen the parking lot and drive aisle. A three foot wall along the western edge of the development is preferable to a 6' wall to prevent the pedestrian walkway from being completely enclosed by 6' walls. The proposed landscape buffer will provide adequate separation.
- Pole mounted lighting is not proposed adjacent to the residential development on the west side of the property. The closest pole mounted lights will be approximately 75 feet from the neighboring residential property lines and will be a maximum of 22'6" tall. This is less than the 25' height limit allowed by the Zoning Ordinance.

- All lights in the parking lot will be fully shielded and directed downward. Lights mounted on the underside of the parking canopies will be screened from off site views by structural members in the canopy. Light levels will not exceed 1 footcandle at the property lines.

Apartment Complex

- The 17-foot wide landscaped buffer along the south property line exceeds the required 10-foot buffer required by the Zoning Ordinance. A buffer is required since the property abuts single-family residences. All trees will be 24-inch box trees. A stipulation has been added requiring the trees to be of an evergreen variety. Additionally, the developer intends to install thorny plant material behind the garage buildings to deter people from loitering in this area. Lighting will not be allowed behind the garages because of the potential impacts on the adjacent single-family homes.

Overall compatibility statement

The proposed use will be compatible with existing and future development on nearby properties. It will not generate excessive traffic, light, or noise. The outdoor vehicle storage area will be screened from views by a six foot perimeter block wall. Phase II will be covered with decomposed granite and landscaped as part of Phase I development. The vehicle storage area is gated for security purposes.

The proposed Coronado Professional Offices is designed to accommodate medical or general office uses. Properties to the west, north (across Osborn Road), and east (across Dysart Road) are developed with single-family residences. The proposed office park is located approximately 55 feet from the residential property lines to the west, 120 feet from the residential property lines to the north, and 200 feet from the residential property lines to the east.

The Zoning Ordinance requires a landscape buffer with a minimum width of 10 feet adjacent to single-family zoning. A 10 foot landscape buffer is proposed on the west boundary of the site. This buffer will be enhanced by the construction of a landscaped path in the 131st Drive right-of-way, which is currently in the process of being abandoned.

The proposed medical offices will not substantially change the look or character of the surrounding area. There will be no outdoor storage or outdoor activity. All medical waste will be disposed of separately from general trash. The introduction of medical offices into a planned office park will not adversely affect the surrounding area.

Access, Circulation and Parking

Primary access to the site is available from Lower Buckeye Road and 107th Avenue. No changes are proposed to the approved points of access for the shopping center. The adjacent streets are designed to accommodate the traffic generated by a neighborhood commercial center.

The drive aisle that goes between the drive-in canopies is designated as a fire lane on the approved shopping center master plan and provides secondary access to the rest of the shopping center. The Fire Department has agreed to relocate the fire lane. Staff has determined through further analysis that it is unlikely there will be a significant amount of shopping center traffic using this drive aisle. The pedestrian path from 107th Avenue was relocated away from the exit to the drive thru.

The five proposed entrances to the facility will provide adequate access to the site for both trucks and automobiles. Separation of the truck and RV traffic from the automobile traffic will ensure safe circulation for both customers and employees

- A traffic study has been reviewed and approved by the Engineering Department. The proposed access points and improvements are consistent with the traffic study and will provide safe vehicular access points for the development.
- The zoning ordinance requires one parking space for every 200 square feet of medical office use. Based on the gross floor area of the development, 227 parking spaces are required. The site plan shows 241 parking spaces, including 53 covered spaces. This exceeds the number of parking spaces required by the Zoning Ordinance. The development is required to provide 7 handicapped accessible spaces. The applicant will provide 8 handicapped accessible spaces.
- The site plan includes stamp pattern paving for pedestrian crosswalks in the parking lot to help delineate crosswalks in the drive aisles. A stipulation has been included to require the addition of stamp pattern paving across both driveways, out of the right-of-way. This paving will be constructed in a way to minimize wide gaps to make the crosswalks handicapped accessible.
- The full width of Fairway Drive and the south half of Van Buren Street have already been constructed, including bike lanes, sidewalks, and street lights. The applicant will be required to install landscaping in the right-of-way along Fairway Drive and Van Buren Street adjacent to their site.
- As part of the Capital Improvement Plan, the City will be completing additional improvements to Van Buren Street in the next fiscal year. These improvements include the installation of a traffic signal at the intersection of Fairway Drive and Van Buren Street and the widening of Van Buren Street between Fairway Drive and Avondale Boulevard. Additionally, Fulton

Homes is constructing the south half of Van Buren Street between Links Drive and Avondale Boulevard. With the completion of these improvements, Van Buren Street will have three lanes of traffic in each direction with a center turn lane and bike paths from Fairway Drive to Avondale Boulevard.

The proposed site is a proposed office park that features adequate parking and circulation. The site has been designed to accommodate both general offices and medical offices, giving safe access from adjacent streets, good circulation throughout the site, and adequate parking for the office uses. The proposed site plan meets all development standards set forth in the Zoning Ordinance, including setbacks, landscaping, and screening.

The development will have 241 parking spaces. The office park is designed to allow medical uses in all eight buildings, which requires a total of 227 parking spaces. The site is designed to have sufficient parking for the proposed medical uses.

- Maricopa County has recently completed the Buckeye Road (MC85) corridor study. The study concludes that Buckeye Road will need to be widened to six lanes. The ultimate design will determine how much of the existing 110 feet of right-of-way will be needed for the road widening. The segment through Avondale has not been scheduled for construction.
- The two primary drives will provide adequate access to the site. Driveways have been coordinated with driveways to the west and to the east.
- Emergency only access is provided along the south property line. This access easement was required by the PAD zoning and was recorded as part of the Villages at Tres Rio Landing residential development.
- The final site plans provide 252 parking spaces which exceed the minimum required by the Zoning Ordinance by one.

Environmental (Landscaping and Buffers, Tree Mitigation, Drainage, Light, Noise, Nuisance, Other Environmental regulations, etc.)

- A master landscape plan has been provided. (Exhibit F) Right-of-way landscaping is included in the preliminary landscape plan and is required as part of the development of the site. Final landscape plans will be submitted and approved by staff prior to the issuance of a building permit.
- The master landscape plan is proposed to be a xeriscape theme using plants from the

Arizona Department of Water Resources list. The landscape plan meets city standards and will compliment the adjacent property and further the character of the development.

- A series of berms and three-foot high screen walls will be installed along Dysart Road and Osborn Road to screen the parking lot.
- A 110' wide storm water drainage easement and channel runs through the property along the eastern and southern boundaries. The channel accommodates storm water runoff from the subject property and surrounding developments. As a part of this development, the channel will be landscaped with river rock and gahnite and compliment the landscape theme established by the Dysart Ranch subdivision. The developer will also be responsible for any improvements to the drainage channel for erosion control that the Engineering Department deems necessary at the time of final plan approval.
- The buildings will feature four-sided architecture. Buildings will be enhanced with stone veneers, arches, stucco pop-outs, and painted metal awnings. Stairwells have been fully incorporated into the loft buildings and have been enclosed by articulated walls enhanced with stone veneer and decorative awning elements to match the building architecture. The mix of ten different building types will add visual interest to the development.

The approved Dysart Commons Shopping Center included restaurants, retail, and service uses. The proposed fitness center will be compatible with the other businesses in the proposed shopping center. Although the fitness center is proposed to be open 24-hours per day, the peak hours of operation are from 6:00 am to 9:00 am and from 5:00 pm to 9:00 pm. This is typical for a commercial center. The C-1 district does not restrict 24-hour uses.

Properties to the north and east are developed with single-family residences. The proposed fitness center is located approximately 410 feet from the north property line and 63 feet from the east property line. The approved site plan included upgrading half of the required trees in the landscape buffer from fifteen gallon to 24-inch box trees. All parking is in front of the building and therefore the building will screen the adjacent lots from customer activity at the fitness center.

- A preliminary landscape plan has been provided. Final landscape plans will be submitted and approved by staff prior to the issuance of a building permit.
- The Zoning Ordinance requires that 1 tree be provided within the useable open space area for each unit within the development. An additional 15 trees are required. The applicant has agreed to a stipulation to provide the additional 15 trees within the common open space area.

- The applicant has submitted a revised site plan which provides 103,493 square feet of useable open space. This exceeds the required 102,900 square feet of useable open space.
- The open space amenities for this development do not provide activities for younger children. Staff believes additional amenities need to be provided. A stipulation has been added to address this issue.
- Some of the required landscaping is within the future travel lanes of Buckeye Road. The applicant has agreed to a stipulation to relocate the required landscaping and landscape the remaining right-of-way.
- The applicant has chosen an architectural character that will compliment the commercial development to the west. The two developments will share the same architectural theme and materials.
- Covered parking canopies are proposed for 130 parking spaces. The parking canopies will be painted to match the buildings and will incorporate a full fascia with lights fully recessed.

Utilities (Do we have adequate utilities to serve the proposed use? Any major improvements? Need to know before approval of SUP)

- The water and sewer lines within the development will be public lines. Easements have been shown on the site plan. The easements will need to be recorded prior to issuance of a construction permit and reflected on the condominium plat.

Architectural Elevations Building Materials, Colors, and Design – Discussion

The building will feature four-sided architecture specifically designed to establish the desired high-tech southwest character of the PAD. The visual impact of the building mass will be minimized by the use of color variation, vertical tower elements, and variation in building setback. The applicant has provided enhanced detailing for the entryways to architecturally enhance the main building.

Miscellaneous – If needed, anything we didn't cover that needs to be or anything unique.

- The proposed development is located on a parcel with a 1.5 acre exception piece. The property will need to be divided to create two separate parcels prior to the issuance of a building permit.

The 1.5 acre exception parcel is developable as a separate project in the event that it is not purchased by the applicant.

- There are four double-trash bin enclosures proposed. Two of the enclosures are located along the southern line. They will be approximately 12-feet from the south property line. The closest residence to these trash enclosures is approximately 30-feet. The third enclosure is located on the west property line adjacent to the planned commercial development. A fourth trash enclosure has been added along the eastern property line to serve Building "A".