

**MINUTES
CITY OF GLENDALE PLANNING COMMISSION**

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

**THURSDAY, APRIL 18, 2013
7:00 PM**

CALL TO ORDER

The meeting was called to order at approximately 7:00 pm.

Commissioners Present: Chairperson Petrone (Cholla), Commissioner Larson (Mayoral), Commissioner Penilla (Sahuaro), Commissioner Lenox (Barrel), Commissioner Aldama (Yucca) and Commissioner Johnston (Cactus). Commissioner Williams (Ocotillo) resigned and was not present.

Commissioners Absent: None.

City Staff Present: Jon M. Froke, AICP, Planning Director, Nicholas DiPiazza, Acting City Attorney, Remigio Cordero, Planner, Suzie Ricard, Community & Economic Development and Diana Figueroa, Recording Secretary.

APPROVAL OF MINUTES

Chairperson Petrone called for the Approval of Minutes. There were none at this time.

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.

CUP12-08: A request by Beus Gilbert PLLC, representing Arizona Auto and Truck Parts, for a Conditional Use Permit (CUP) for auto wrecking and salvage, storage and processing of scrap metals, and retail sales in the M-2 (Heavy Industrial) zoning district. The site is located west of the southwest corner of 68th and Northern Avenues (6841 West Northern Avenue). Staff Contact: Remigio Cordero, Planner (Ocotillo District).

Mr. Remigio Cordero, Planner, presented this item. He stated Case CUP12-08 is a request by the applicant Beus Gilbert PLLC representing Arizona Auto and Truck Parts for a CUP approval to allow auto wrecking and salvage, storage and processing of scrap metals, and incidental commercial retail sales other than those otherwise permitted in the M-2 (Heavy Industrial)

zoning district for the property located at 6841 West Northern Avenue. The property is located west of the southwest corner of 68th and Northern Avenues and is 8.92 acres in size.

The applicant is proposing to operate an auto wrecking and salvage yard that organizes inoperable vehicles by their make and model and allows customers to remove parts and purchase them on-site. Vehicles will be parked on an asphalt surface. The hours of operation will be seven days a week from 7:30 a.m. to 5:50 p.m., opening at 6:30 a.m. during the summer months. All uses will be located behind an eight foot tall split faced decorative masonry screening fence.

Northern Pull N' Save is also proposing to construct a 6,500 square foot building along with landscaping and an asphalt parking lot. A majority of this building will be utilized by the company as an office. The retail sales portion of this CUP request will include the sale of automotive parts, automotive accessories, and food and beverages that will be sold within 2,000 square feet of the proposed 6,500 square foot building; 1,250 square feet of this building is planned to accommodate a fast food restaurant with a drive thru window that will be operated by a third party.

On November 8, 2012, the applicant mailed 100 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. Planning did receive one response in opposition regarding the request. A nearby business owner had concerns about the proposed use. Staff forwarded the email to the applicant in an attempt to mitigate the business owner's concern.

The applicant contacted the business owner to discuss their concerns. The property owner did not have a concern with the potential business owner or proposed development; rather they had concerns with the clientele this use generates and how it will impact the surrounding area with them working on vehicles in the vicinity. The applicant assured the business owner that they will not allow customers to work on their personal vehicles in the parking lot. It was concluded that the business owner's concern could not be mitigated by the applicant.

In conclusion this request appears to meet the required findings for CUP12-08 approval and should be approved, subject to the following stipulations listed in the staff report.

Chairperson Petrone called for any questions from the Commission.

Commissioner Larson noted that Northern Parkway will be going through that area. He asked how it will affect the future alignment and will it need to be changed as the Parkway comes in. Mr. Cordero explained that in the next 20 years there will be a fly-over for Northern Parkway as it transitions from Grand Avenue over 67th Avenue as determined by the Transportation Department. He explained what the applicant's requirements were regarding future plans and how these plans will be affected.

Commissioner Penilla inquired if any additional ingress and egress point had been contemplated. Mr. Cordero stated this plan has been reviewed by the Transportation Department and concluded the main access will be Northern Avenue; however, there will be another access point to the south of the property, along Friar Drive, at a later time.

Commissioner Aldama noted the applicant will be providing an 8 foot screen wall; however, that wall only covers the northern portion of the facility. Mr. Cordero explained that the wall will run from east to west behind the building. Therefore, this will meet the requirements of anything that is outdoor storage will be out of view. Commissioner Aldama asked if there were any screening to the east and west. Mr. Cordero replied there was additional screening in that area and will have the applicant explain.

Chairperson Petrone called for the applicant's presentation.

Paul Gilbert, applicant's representative, stated staff has provided a thorough and detailed presentation. However, he would like to touch on some major points. He said the owner of the property is Arizona Auto and Truck Parts and was a family owned business. The business has been in operation since 1919 and spans four generations. As a result, the city is dealing with very solid people in the community and have an impeccable past reputation.

Mr. Gilbert explained the property is already zoned for heavy industrial M-2 and is surrounded by heavy industrial zoning. He stated they were here requesting conditional use permits. He said these were uses that are allowed in the district. He listed the three permits they were asking for. He explained the process used for the auto wrecking and salvage, storage and processing of scrap metals. He said that most of the people visiting this site will extract their own parts from the automobiles. He noted this was a clean and orderly operation and not really what people typically think when thinking about a junk yard. He showed how the vehicles were kept in an orderly manner and not stacked on top of one another.

Additionally, all vehicles that are brought in for recycling are put through a de-pollution process before the cars get to the site and are all done at another facility off-site. Mr. Gilbert noted this lot was also unique since it was fully paid. He would like to make clear to the Commission the well organized and clean operation they were providing. He explained the final process of the scrap metal skeleton and recycling. He added that process was not done on site.

Mr. Gilbert noted they were aware of the popularity of scrap metal and the propensity for theft. He commented on the heavy regulations in place, as well as their full cooperation with the police department. He said they have had no problems in that regard in any of their facilities. He commented on the sales aspect of the application as well as their plans for a restaurant.

Mr. Gilbert asked to clarify one point on staff's presentation. He said they sent out 100 flyers with only one response. He said the one response was not in opposition of their use but of the people that would be coming to this site using the facility.

Mr. Gilbert stated there were two stipulations that they have major problems with. The two stipulations are number three and five. He said the sidewalks and streetlights were unnecessary and will be torn-up and removed once Northern Parkway comes through. He explained that the sidewalk does not connect at all to the east and won't be used. He demonstrated how the property already had a walkway. Therefore, if there is a need for pedestrian traffic along Northern Avenue, the asphalt is already in place. In regards to the streetlights, they will be

removed once the Northern Parkway is built, and thus far they have not been needed or required of other developments.

Mr. Gilbert said the applicant also had a problem with the 8 foot high split face masonry wall provided between the public parking lot and the sales lot to screen the salvaged vehicles from public view. He stated they would prefer to have the 8 foot wall become a three foot tall solid decorative masonry wall and five feet with a metal view fence on top. They believe having a view provides for advertising possibilities. He noted the public will see a well-organized operation.

Mr. Gilbert responded to Commissioner Aldama's question about a need for additional fencing from east to west. He said a solid fence was already in place on both sides.

Commissioner Penilla commented on the street lights. He noted that since the applicant had plans for retail sales and restaurant use, does he not see the need for additional lighting for evening customers. Mr. Gilbert responded they believe it would not be necessary, however, if it is a concern, they would be willing to place streetlights at the entryway to the restaurant and sales office. Mr. Gilbert noted he had a good argument regarding that aspect. Commissioner Penilla commented on the dangers of not having adequate lighting at night.

Commissioner Penilla asked if he knew how long before Northern Avenue will be torn-up and improved. Mr. Gilbert responded no, however, they were being asked to provide the open space and landscaping along Northern Avenue.

Commissioner Penilla stated this was the first he has heard about the applicant's reservations to the stipulations and thought they had come in an approval setting. However, under the recommendation portion, it was clear that the approval is subject specifically to the five stipulations. Mr. Gilbert stated they were fully aware of that, however, he believed they should have the opportunity to express their views on some of these issues.

Mr. Gilbert reiterated his argument regarding the sidewalk.

Commissioner Penilla asked that in respect to stipulation number four, noting that all mechanical equipment shall be screened from public view, he inquired if any cranes or high profile equipment would be affected by that stipulation. Mr. Gilbert replied that was not an issue for the applicant.

Commissioner Aldama thanked Mr. Gilbert for his thorough presentation. He asked if the applicant had given any thought that the sidewalks might bring in more foot traffic. Mr. Gilbert explained that 99% of the patrons come in cars; therefore there is very little foot traffic. He added that if anyone wanting to walk up to the site may do so since it was fully asphalted. Commissioner Aldama noted the sidewalk might bring additional aesthetic to the area.

Commissioner Johnston wondered as to the safety rating of these types of facilities. Mr. Gilbert conversed with the applicant before answering. He explained that this was a very common practice. They have over 10,000 visitors and have never had an accident of that nature.

Commissioner Larson inquired as to the lighting around the building at night. Mr. Gilbert stated they will have lighting in the parking lot and adjacent to the restaurant and retail facilities. No one will be working on the vehicles at night since they close at 5:30 p.m.

Chairperson Petrone asked for any additional questions. There were none.

Chairperson Petrone thanked Mr. Gilbert for his time and application.

Chairperson Petrone opened the public hearing but did not have any speaker cards. He asked Mr. Froke if he had any further comments or procedural guidance.

Mr. Froke stated staff stands by the five stipulations and believes they are appropriate. He said it was not unreasonable for the city to be making these requests for an 8.9 acre site. Therefore, their recommendation stands as submitted tonight.

Chairperson Petrone closed the public hearing on CUP12-08.

Chairperson Petrone asked for any further discussion on this item.

Commissioner Johnston stated he has seen very little foot traffic, if any, in that area and believes the applicant had a reasonable request regarding the sidewalk issue.

Commissioner Larson wondered why they needed the screen wall. He said the applicant had a good point that this was not the standard junk yard. He said it was a reasonable request to have a three foot solid decorative masonry wall and five feet with a metal view fence on top.

Chairperson Petrone commented on the applicant's suggestion regarding the wall and wrought iron view fence on top. He said he personally would be inclined to accede to the applicant's request. He noted it was reasonable for a business person to want the advertising and the wrought iron fence looked very nice.

Commissioner Larson made a motion to recommend approval of CUP12-08 subject to the stipulations listed in the staff report, with modifications to stipulation number 3, removing the sidewalk but leaving the streetlights and stipulation number 5, to build instead a 3 foot decorative masonry fence with a 5 foot wrought iron screen on top of the masonry. Commissioner Johnston seconded the motion, which was unanimously approved.

Mr. Nicholas DiPiazza, Acting City Attorney, said this is final approval by the Planning Commission subject to a written appeal if filed within 15 days.

GPA13-01: A request by Nagaki Design Build Associates Inc., representing Sunshine Residential Homes Inc, to amend the General Plan on 2.47 acres from LDR (Low Density Residential 0-1 du/ac) to OFC (Office). The site is located north of the

northeast corner of 63rd Avenue and Bell Road (17201 North 63rd Avenue). Staff Contact: Remigio Cordero, Planner (Sahuaro District).

ZON13-02: A request by Nagaki Design Build Associates Inc., representing Sunshine Residential Homes Inc, to rezone 7.13 acres from SUD (Special Use District) and A-1 (Agricultural) zoning districts to C-O (Commercial Office). The site is located north of the northeast corner of 63rd Avenue and Bell Road (17201 North 63rd Avenue). Staff Contact: Remigio Cordero, Planner (Sahuaro District).

Mr. Remigio Cordero, Planner presented this item. He informed the Commission that these are two separate cases for one project and there will need to be two separate motions, one for each case.

He stated that Cases GPA13-01 and ZON13-02 were requests by the applicant Nagaki Design Build Associates Inc. representing Sunshine Residential Homes Inc. to amend the General Plan on 2.47 acres from LDR (Low Density Residential 0-1 du / ac) to OFC (Office) and to rezone 7.13 acres from A-1 (Agricultural) and SUD (Special Use District) to C-O (Commercial Office) zoning district for the property located at 17201 North 63rd Avenue. The property is located north of the northeast corner of 63rd Avenue and Bell Road.

The property owner is proposing a two phase project for this property. The first phase will consist of a corporate office for Sunshine Residential Homes Inc. that will be 26,000 square feet in size. There are no plans for the construction of phase 2; however, the future use will be commercial office in nature.

The hours of operation will be Monday through Friday 8:00 a.m. to 5:00 p.m., with approximately 25 to 35 employees reporting to this office during this time frame. There will be a total of 180 parking spaces with adequate driveways to accommodate on-site circulation. The applicant will also provide landscaping and decorative masonry screening walls that will tie into the surrounding area.

On February 25, 2013, the applicant mailed 94 notification letters to the surrounding property owners and interested parties notifying them of a neighborhood meeting held on March 14, 2013. At the neighborhood meeting there were 40 individuals that were in attendance. The residents primary concern was the amount of parking that will be provided for the corporate office and how that will create vehicular congestion. The applicant explained that the additional parking spaces are for when the property owner has staff meetings which are held once a month. There were six residents that were in opposition and they stated that they would like this property to remain vacant. The other issues were mitigated at the meeting with the property owners that were directly affected. One individual wanted an 8 foot decorative wall, which the applicant obliged to construct. A second individual wanted the access easement on the southern portion of this property to remain, which the property owner agreed to. The other remaining property owners liked the applicant's proposal.

After the neighborhood meeting staff received 10 emails in support of the applicant's request and one email received in opposition. They stated that this project will be a good use for the site and it will provide an opportunity to clean up this vacant parcel. The opposing email from a nearby resident had concerns with traffic and why he was not notified. It was explained to the resident that the notification boundary was set at 500 feet and his home is located more than 2,300 feet from the site.

On March 25, 2013 the property owner mailed a follow up letter to interested parties notifying them of his site plan alteration. The owner stated that he has heard his neighbors' concerns and he has eliminated phase three entirely from the project and the parking has been reduced from 299 parking spaces to 180 spaces. Since the second mailing, no additional comments were received from the neighborhood. However, this week, there were 18 additional letters received from adjacent property owners and residents, 16 were in support, and two were in opposition. They cited the same concerns of vehicle congestion.

In regards to the findings for the General Plan Amendment, the General Plan to OFC on 2.47 acres is the appropriate designation. The proposed land use of OFC is a low intensive use that will be compatible with the area. This general plan amendment will create a single, consistent land use designation over the entire site. This will facilitate the development of the property with a master plan that will benefit the neighborhood

In regards to the findings for the Rezoning request, The C-O zoning district for the entire 7.13 acres is an appropriate district to implement General Plan and develop this infill property. The proposed zoning district is compatible with adjacent properties and will not be detrimental to the surrounding community. Completion of this project will include the development of an underutilized property that will complement the residential and medical uses on Bell Road. The proposed commercial office is a low intensive use that compliments the residential and church uses to the north. Transportation has reviewed the site plan for this property and deemed the site to have adequate onsite circulation, parking, and accessibility to the site. Three parcels will be combined into one to eliminate the two property lines in the northern portion of the site.

All applicable city departments have reviewed the application and recommend approval of the application, subject to stipulations.

In conclusion, this request appears to meet the required findings for Cases GPA13-01 and ZON13-02 approval and should be approved, subject to the following stipulations listed in the staff report. Mr. Cordero reminded the Commission that there will need to be two separate motions, one for each case.

Chairperson Petrone called for any questions from the Commission.

Commissioner Larson commented on the traffic issue which seemed to keep coming up as a problem. Mr. Cordero explained that the Transportation Department had reviewed the overall concerns of the neighborhood. After an extensive assessment, they provided their recommendation which is in the staff report. Commissioner Larson inquired as to why the amount of parking spaces had been reduced. Mr. Cordero deferred the question to the applicant.

Commissioner Aldama inquired if Phase two and been eliminated or simply postponed. Mr. Cordero explained the site plan proposes two phases instead of three. After hearing the concerns from neighbors the applicant reduced the plan from three phases to two.

Chairperson Petrone called for the applicant's presentation.

Larry Nagaki and Carol Hawkins applicant's representatives commented on the scale down of the project after hearing of the neighborhood's concerns. Mr. Nagaki stated that in response to the parking question, they believe that the once a month training can be accommodated within the 180 parking spaces. Ms. Hawkins agreed and added the reason for deducing from 299 to 180 was because of the complaints and concerns and them trying to accommodate the request by being a good neighbor. Mr. Nagaki showed the site plan and exhibits of the building elevations containing office space, training facilities, gym, and storage and kitchen facilities.

Chairperson Petrone asked for any questions.

Commissioner Aldama asked if Phase Two remains vacant or would they include landscaping. Mr. Nagaki stated they will probably install a fence. Commissioner Aldama asked if the second floor will always remain for storage or do they plan a future use. Mr. Nagaki explained the storage was for the many programs they put on each year for children. As a result, there are no plans other than storage for that area since that was its intended use.

Commissioner Larson asked if the second phase will be used by the facility or sold for some other separate office use. Mr. Nagaki responded that at this point, they might sell it as office space; however, he believes they will retain it since they are quickly running out of space. Therefore at this point it was unclear.

Chairperson Petrone thanked him for his time and application.

Chairperson Petrone opened the public hearing. He asked if anyone in the audience would like to speak on this item.

Sherry Brenen, stated her concern was for the extra traffic since it was a residential area. She suggested they only have a left hand turn out to Bell Road instead of the right hand turn and going through the housing developments after they leave the facility.

Monique Williams, stated she was one of six assistant program managers at Sunshine Residential Homes. She was in full agreement with the application and for the purpose for what they do at the facility. She encourages anyone with any doubt to understand the depth of their work and what they bring to the community. She asked them to weigh that aspect with any small inconvenience they many have with traffic.

Mr. Nagaki responded to a speakers comment. He explained traffic engineering did look at her suggestion of only left hand turns instead of the right turn into the neighborhood. He said they

were more than willing to do pavement markings and signage to direct the traffic away from the residential area. He hopes that will help address that issue.

Paula Johnson, stated her support of this application. She explained she was part of a group of volunteers that work with the children of Sunshine Group Homes. She said the building was beautiful and they ran a very good operation.

Joseph Longo, stated he was the owner of one of the four acre lots where the ingress and egress will be. He would like that road closed off since some may want to use it even if it was only for fire access. He supports the facility but was concerned about the traffic.

Mr. Nagaki stated that as of yesterday, the northern driveway will be closed off. He said the only vehicular access on and off the property will be off of 63rd- Avenue. The fire emergency access was also accommodated. They might also have someone directing traffic for large meetings.

Commissioner Penilla expressed his appreciation and support for what the organization does for the people and for the community.

Leonardo Torrez, public speaker, stated his support for this application. He said this organization also extends their support and help to the veterans that come back from military deployment. He showed the Commissioners an award that was awarded to Mr. Nagaki from the Office of the Secretary of Defense for Employee Support for National Guard and Reserve Force.

Nick Alcocer, stated he was one of the house managers of Sunshine Residential Homes and would like to point out that the majority of the employees spend most of their time at the group homes and not at the offices. As a result, there was not a lot of traffic created by employees.

Chairperson Petrone asked Mr. Froke if he had any further comments or procedure guidance.

Mr. Froke stated that this has been a long vacant parcel that had never received any development inquiries over the years. He supports the applicant's proposal and approves staff's recommendation.

Chairperson Petrone asked for any additional questions. There were none.

Since there were no additional public comments, he closed the public hearing.

Commissioner ? Johnston made a motion to recommend approval of GPA13-01 subject to the stipulations listed in the staff report. Commissioner ? Lennox seconded the motion, which was unanimously approved.

Mr. Nicholas DiPiazza, 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.

Commissioner ~~Penilla~~ made a motion to recommend approval of ZON13-02 subject to the stipulations listed in the staff report. Commissioner ~~Larson~~ seconded the motion, which was unanimously approved.

Mr. Nicholas DiPiazza, 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.

OTHER BUSINESS

Chairperson Petrone called for other business. There was none.

OTHER BUSINESS FROM THE FLOOR

Chairperson Petrone called for business from the floor.

Brienne McDowell a Glendale resident, commented on a compliance order she received from the Code Compliance Department about some of their chickens as household pets. She explained the definition regarding the bird was written vaguely enough to be open to some interpretation. She requested the compliance order include a chicken to be defined as a bird to allow them to keep their household pets for their two year old son. She added both their neighbors approved of the birds.

PLANNING STAFF REPORT

Mr. Froke stated that a week ago yesterday, the Arrowhead Cadillac of Glendale broke ground at the Northwest Corner of Bell Road and 83rd Avenue. The state of the art auto dealership has a 215 day construction timeframe and will be open for business on Thanksgiving Holiday 2013. Additionally, the latest phase of Olive Marketplace at 51st Avenue and Olive Avenue is under construction.

COMMISSION COMMENTS AND SUGGESTIONS

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

ADJOURNMENT

With no further business, Commissioner Penilla made a motion to adjourn the meeting. Commissioner Lenox seconded the motion, which was approved unanimously. The meeting adjourned at 8:31pm.

The next meeting is scheduled for May 2, 2013.