



Planning Commission Meeting Agenda

COUNCIL CHAMBERS

JUNE 5, 2014

6:00 P.M.

One or more members of the Planning Commission may be unable to attend the Meeting in person and may participate telephonically, pursuant to A.R.S. § 38-431(4).

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES April 3, 2014 Public Hearing

IV. WITHDRAWALS AND CONTINUANCES

V. PUBLIC HEARING ITEMS

1. **CUP14-02:** A request by Bob Hatch representing Chick-fil-A to approve a conditional use permit for a restaurant with a drive-thru in the C-2 (General Commercial) zoning district. The proposal will demolish the existing Circle K gas station and convenience store and construct a new 4,825 square foot restaurant with drive-thru service. The site is a 52,098 square foot pad located at the northwest corner of 59th Avenue and Thunderbird Road (5908 West Thunderbird Road) and in the Sahuaro District. Staff Contact: Remigio Cordero, Planner.

2. **CUP14-03:** A request by Jesus Ortega representing The Church of Jesus Christ Latter-Day Saints to approve a conditional use permit for a thrift store (Retail Service Center) in the C-2 (General Commercial) zoning district. The property is located west of the southwest corner of 67th Avenue and Bell Road (6825 West Bell Road) and in the Sahuaro District. Staff Contact: Remigio Cordero, Planner.

3. **CUP14-04:** A request by Mays & Company Real Estate Development, on behalf of Arizona General Hospital ER, to approve a conditional use permit to allow a 7,123 square foot emergency medical care facility with twenty-four (24) hour operation in the C-2 (General Commercial) zoning district. The property is located west of the southwest corner of 51st Avenue and Olive Avenue (5171 West Olive Avenue) and in the Barrel District. Staff Contact: Remigio Cordero, Planner.

VI. OTHER BUSINESS

Letter from Government Services Committee

VII. OTHER BUSINESS FROM THE FLOOR

VIII. PLANNING STAFF REPORT

IX. COMMISSION COMMENTS AND SUGGESTIONS

X. NEXT MEETINGS: June 19, 2014 Special Workshop at 6pm
July 3, 2014 Public Hearing
July 17, 2014 Public Hearing at 6pm

XI. ADJOURNMENT

FOR SPECIAL ACCOMMODATIONS



□ Please contact Diana Figueroa at (623) 930-2808 or dfigueroa@glendaleaz.com at least three working days prior to the meeting if you require special accommodations due to a disability. Hearing impaired persons should call (623) 930-2197.

After 5:00 p.m. on Monday, prior to the meeting, staff reports for the above referenced cases will be available online at <http://www.glendaleaz.com/planning/boardsandcommissions.cfm>. If after reviewing the material you require further assistance, please call the staff contact listed for each application at (623) 930-2800.

In accordance with [Title 38](#) of the Arizona Revised Statute (A.R.S.), upon a public majority vote of a quorum of the Planning Commission, the Commission may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purpose:

- (i) discussion or consideration of records exempt by law from public inspection (A.R.S. § 38-431.03(A)(.2));
- (ii) discussion or consultation for legal advice with the city's attorneys (A.R.S. § 38-431.03(A)(3)); or
- (iii) discussion of consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. § 38-431.03(A)(4)).

Confidentiality Requirements Pursuant to A.R.S. § 38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. § 38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the Planning Commission, or as otherwise ordered by a court of competent jurisdiction.

**MINUTES
CITY OF GLENDALE PLANNING COMMISSION**

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

**THURSDAY, APRIL 3, 2014
6:00 PM**

CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

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

Commissioners Absent: None.

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

Chairperson Penilla provided a personal note thanking and praising past Planning Commission Chairpersons, especially Chairperson Petrone, for his fairness and professionalism.

APPROVAL OF MINUTES

Chairperson Penilla explained the January 16, 2014, meeting minutes could not be considered for approval unless a quorum of those in attendance at that particular meeting were present this evening. He asked for a motion to table the minutes.

Vice Chairperson Aldama made a motion to table the minutes of the January 16, 2014 Planning Commission Hearing. Commissioner Johnston seconded the motion, which passed unanimously.

WITHDRAWALS AND CONTINUANCES

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

Chairperson Penilla indicated that Item #6, Other Business would be heard prior to moving forward to the public hearing items.

Fiscal Year 2014-2015 Preliminary Capital Improvement Plan. Staff Contact: Thomas Ritz, AICP, Senior Planner (City-wide)

Thomas Ritz, AICP, Senior Planner, provided the summary on the Fiscal Year 2014-2015 Preliminary Capital Improvement Plan. He stated staff has reviewed the plan and has

determined the projects are in conformance with the adopted general plan. He noted this is the only responsibility the Planning Commission has in the capital improvement process. He stated staff's recommendation is to indicate that the Fiscal Year 2014-2015 Preliminary Capital Improvement Plan is in conformance with the City of Glendale's General Plan. He said the required action of the Planning Commission is to report to the City Council that the Fiscal Year 2015 Preliminary Capital Improvement Plan of the Fiscal Year 2015-2025 Preliminary Capital Improvement Plan is in conformance with the General Plan. He indicated a vote is needed to report to Council indicating the Commission is in agreement.

Vice Chairperson Aldama made a motion to report to the City Council indicating the Planning Commission believes that the Fiscal Year 2015 Preliminary CIP of the Fiscal Year 2015-2024 Preliminary CIP is consistent with the General Plan. Commissioner Johnston seconded the motion, which passed unanimously.

PUBLIC HEARING ITEMS

Chairperson Penilla called for staff's presentation.

GPA13-08/ZON13-13: A request by the property owner, Matthew Ming, to amend the general plan designation from 8-12 (Medium-High Density Residential) to 3.5 -5 (Medium Density Residential) and to Rezone from A-1 (Agricultural) zoning district to R1-4 (Single Residence) zoning district. The site is located west of the northwest corner of 67th Avenue and Paradise Lane (6812 West Paradise Lane) and is located in the Sahuaro District.

Remigio Cordero, Planner, stated Cases GPA13-08 and ZON13-13 were requests by the property owner, Matthew Ming, to amend the general plan designation from 8-12 Medium-High Density Residential to 3.5 -5 Medium Density Residential and to Rezone from A-1 Agricultural zoning district to R1-4 Single Residence zoning district. The site is located west of the northwest corner of 67th Avenue and Paradise Lane and is located in the Sahuaro District.

He explained the property owner is proposing to lower the current general plan density designation and rezone the property to a conforming zoning district that is most compatible with the surrounding area. He noted that if approved, there is an ability to subdivide the parcel into two parcels and the applicant would then propose to build custom homes on the property. He explained that currently the A-1 zoning district is a legal non-conforming zoning district that requires a parcel to have a minimum of forty acres in size to be in conformance with the zoning ordinance. He added that if a home were to be built on this property, a variance would be needed and any additional development on the property thereafter would require a variance for each development standard that is not met.

Mr. Cordero noted that on January 16, 2014 the applicant mailed 105 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. He added that Planning received one response regarding the request from a nearby resident. The resident supported the request, however, asked that the property be kept in a clean manner. The property owner confirmed that the property will be kept clean.

In conclusion, Mr. Cordero stated this request appears to meet the required findings for both the General Plan Amendment and Rezoning. He stated the Commission should recommend approval of these requests subject to the stipulations listed in the staff report. He provided information on stipulation #2 and noted it had been met by the applicant. He asked for questions from the Commission.

Chairperson Penilla called for questions from the Commission. There were none.

Chairperson Penilla called for the applicant.

Matthew Ming, applicant, stated Mr. Cordero's presentation covered most of the details and he agreed with the presentation provided.

Chairperson Penilla opened the public hearing.

Lisa Cabral, speaker, stated she agreed with the project but was concerned with the upkeep of the property. She wondered if they will be following through with the clean-up.

Mr. Cordero explained the procedure and the city ordinances that have to be met with any project. He noted the applicant has agreed and stated he will keep the property in a clean manner.

Mr. Ming stated he had been a Glendale resident for over 30 years and would like to invest more money in the City of Glendale.

With no one else wishing to speak, Chairperson Penilla closed the public hearing.

Commissioner Berryhill made a motion to recommend approval of GPA13-08. Vice Chairperson Aldama seconded the motion, which passed unanimously.

Vice Chairperson Aldama made a motion to recommend approval of ZON13-03, subject to stipulations in the staff report. Commissioner Dobbelaere seconded the motion, which passed unanimously.

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.

GPA13-03/ZON13-06/PP13-02 A request by Dave Cisiewski representing the property owner, Westside Land LLC, to amend 12.56 acres of the general plan designation from 12-20 (High Density Residential 12-20 DU/AC) to 5-8 (Medium Density Residential, 5-8 DU/AC), to amend an existing PAD (Planned Area Development) to delete the multifamily land use component and add a Single Family land use component, and to approve a preliminary plat for West Pointe Village, an 89-lot subdivision. The site is located at the southeast

corner of Olive Avenue and 71st Avenue (7041 West Olive Avenue) and is located in the Barrel District.

Remigio Cordero, Planner, stated Cases GPA13-03, ZON13-06, and PP13-02 were requests by Dave Cisiewski representing the property owner, Westside Land LLC, to amend 12.56 acres of the general plan designation from 12-20 High Density Residential 12-20 DU/AC to 5-8 Medium Density Residential, 5-8 DU/AC, to amend an existing PAD Planned Area Development to delete the multifamily land use component and add a Single Family land use component, and to approve a preliminary plat for West Pointe Village, an 89-lot subdivision. The site is located at the southeast corner of Olive Avenue and 71st Avenue at 7041 West Olive Avenue.

He said the applicant is proposing an 89 lot single family subdivision on 23.64 acres with a density of 3.76 dwelling units per acre. He said lot sizes vary from 6,168 square feet in size to 13,338 square feet in size. He said vehicular access is provided by entrance directly at 69th and Olive Avenues, Puget Avenue, and Lawrence Lane off 71st Avenue. He explained the development plan includes 3.59 acres of common open space or approximately 15.2% of the total site.

Mr. Cordero noted that on December 3, 2013 the applicant mailed 305 notification letters to adjacent property owners and interested parties notifying them of a public neighborhood meeting to be held on December 18, 2013. He noted that at the meeting there was one resident in attendance in addition to the applicant, the property owner and city staff. The resident had a concern with access, additional work to the existing perimeter wall on the east of the project and questioned if a user had been identified for the commercial component of this project.

Mr. Cordero explained that the applicant provided the resident the preliminary plat and showed that there was no access onto Olive Avenue and that the eastern perimeter wall of the existing subdivision to the east of this project will not be affected. He added that there was no commercial user at this time. The applicant did not receive any response regarding the request. He added that Planning did not receive any response regarding the request either.

In conclusion, Mr. Cordero stated this request appears to meet the required findings for GPA13-03, ZON13-06, and PP13-02. He stated the Commission should recommend approval of these requests subject to the stipulations listed in the staff report. He asked for questions from the Commission.

Chairperson Penilla called for questions from the Commission.

Commissioner Aldama asked for additional information on stipulation #8 regarding sidewalks. He asked if there were new standards or a stipulation specific to this project. Mr. Cordero stated there were new standards brought forth by the traffic and land development engineering.

Chairperson Penilla called for the applicant to make a presentation.

Dave Cisiewski, representing the property owner, stated staff had done a great job explaining the project. He said he would like to add that this project had been the result of about six to eight

months of cooperative work between the applicant and staff. Therefore, he believes this was a very good project for the community. He indicated they were in agreement with the stipulations set forth.

Chairperson Penilla asked if they had transmitted a record of what people said and who they were during the citizen participation process to staff. Mr. Cisiewski stated they submitted a citizen's participation plan report to staff shortly after the meeting in December.

Chairperson Penilla opened the public hearing.

Dennis Wilshawn, speaker, stated he had some concerns regarding the development. However, after listening to the project narrative, he supports the application.

Chairperson Penilla called for questions from the Commission. There were none.

Chairperson Penilla closed the public hearing.

Commissioner Johnston asked if it was part of the city's procedure to notify the school district nearest to them. Mr. Cordero replied they have notified the school district and they have given their approval.

Commissioner Johnston recommended approval of GPA13-03. Vice Chairperson Aldama seconded the motion, which passed unanimously.

Commissioner Johnston recommended approval of ZON13-06, subject to stipulations in the staff report. Commissioner Berryhill seconded the motion, which passed unanimously.

Commissioner Dobbelaere made a motion to approve PP13-02, subject to stipulations in the staff report. Vice Chairperson Aldama seconded the motion, which passed unanimously.

Deborah Robberson, Deputy City Attorney, stated the Planning Commission's actions are not final regarding GPA13-03 and ZON13-06. The Commission's recommendation will be forwarded to City Council for further action.

Deborah Robberson, Deputy City Attorney, said PP13-02 is final approval by the Planning Commission subject to a written appeal if filed within 15 days.

ZON13-12/PP13-05 A request by the Withey Morris PLC, representing The Robin Family Trust, to rezone approximately 19 acres from A-1 (Agricultural) zoning district to R1-7 PRD (Single Residence, Planned Residential Development) zoning district and to approve a preliminary plat for Catania, a 79-lot subdivision. The site is located at the southeast corner of 87th Avenue and Glendale Avenue (8645 West Glendale Avenue) and is in the Yucca District.

Jon M. Froke, AICP, Planning Director stated this was a request by Withey Morris PLC, representing The Robin Family Trust, to rezone approximately 19 acres from A-1 (Agricultural) zoning district to R1-7 PRD (Single Residence, Planned Residential Development) zoning district and to approve a preliminary plat for Catania, a 79-lot subdivision. The site is located at the southeast corner of 87th Avenue and Glendale Avenue (8645 West Glendale Avenue) and is in the Yucca District. He provided additional information on the aerial map.

Mr. Froke provided details on the project explaining it will be gated and the street private and maintained by the Home Owners Association once the subdivision is developed. He explained that the project's open space exceeds the 15% minimum at 15.7% and the total acreage is 2.8. He discussed the street improvements that were proposed as well as the 79 lots that were planned. He provided details on landscaping and vehicular access. He stated lot sizes vary from 5,050 to 8,015 square feet.

In conclusion, Mr. Froke stated this request appears to meet the required findings and should recommend approval of these requests subject to the stipulations listed in the staff report. He asked for questions from the Commission.

Chairperson Penilla asked for additional clarification on the stipulations. He asked if the street improvement details were in the development plan. Mr. Froke responded yes. Chairperson Penilla asked what the street development improvements were. Mr. Froke explained that pavement thickness, width, curb and gutter etc. were all determined by their engineering standards and would be dealt with before any permit were issued for the project. He added the Land Development Engineer has reviewed this project. He indicated that zoning case ZON13-12 covers much of the standard stipulation for street improvements.

Chairperson Penilla called for questions from the Commission. There were none.

Chairperson Penilla called for the applicant to make a presentation.

Jason Morris, Withey Morris PLC, representing the applicant, stated that Mr. Froke had done an excellent job reviewing the history and individual sites and plats involved with this case. He stated the applicant has had the benefit of developing within the city and over the last three years he has been the single largest, single family, building permit builder within the City of Glendale. He explained that this site was somewhat of an in-filled site. He discussed the developments around the proposed site. He noted the applicant has spent almost a full year with planning staff trying to maximize the planning design and taking advantage of the open space.

Mr. Morris provided additional information showing the PowerPoint plan map starting with the first plan design and ending with the end result. He noted the improvements and design changes that occurred throughout the process. He would like the Commission to understand that within these 79 lots, the applicant was actually proposing a series of one and two story homes; however each have a variety of different elevation and options, which created essentially 72 different looks per community. This creates a great amount of diversity homes within the community. He said that in conclusion, he asked the Commission to approve this request. He noted that the applicant had asked for some relief from stipulation number #7. He said that stipulation number

#7 required single story homes on each of the seven lots along the southern boundaries. He stated that they request that no two story homes may be adjacent to each other since they were trying to avoid a wall of two story homes along the southern perimeter.

Chairperson Penilla asked if their request from stipulation #7 was formally done. Mr. Morris stated the staff report was only available to them last week. He added they had spoken with Mr. Froke about this so he wasn't surprised when it was brought up tonight. Chairperson Penilla asked when he verbally advised staff about the potential relief from stipulation number #7. Mr. Morris replied their conversation occurred only yesterday.

Commission Aldama inquired as to the setback distance from the rear of the two story homes to the existing adjacent homes. Mr. Morris replied the setback from the second floor is 30 feet to the property line. He added there was some distance to the next home and depending upon the rear setback of the homes to the south, it would be 75 to 100 feet depending upon the size of the backyards. Commissioner Aldama asked how many two story homes are proposed on the south side. Mr. Morris said he believes about half. He would request that three or four homes be allowed to be two stories or a stipulation requiring that no two story homes be placed next to each other. Commissioner Aldama asked if all of those two story homes have been designed to have just a single window on the side facing south to the existing homes. Mr. Morris replied yes.

Chairperson Penilla asked Mr. Froke to expand further on stipulation seven.

Mr. Froke explained the purpose of stipulation #7 was really to provide protection to the homes to the south. He noted he had surveyed the site and staff was open to Mr. Morris' proposal if the Commission wishes to entertain it.

Chairperson Penilla asked if staff had any objection. Mr. Froke replied no and added he believes there had been no comment on stipulation #7 at the neighborhood meeting.

Commissioner Aldama stated he had a lot of faith in staff and Mr. Froke in moving forward on this issue.

Chairperson Penilla inquired how this stipulation would be modified moving forward if everyone agrees. He asked staff to compose a revised stipulation #7.

Chairperson Penilla opened the public hearing since there were no speakers, the public meeting was closed.

Deborah Robberson, Deputy City Attorney, commented on a memorandum with amendments to the preliminary plat stipulations. Chairperson Penilla stated that for the record, the memorandum included nothing about stipulation #7. He advised they will withdraw the discussion about item #7 and go with the recommendation including the preliminary plat with the five stipulations of the Planning Memorandum date April 3, 2014. Mr. Morris stated they had seen the memorandum and had no objections.

Vice Chairperson Aldama recommended approval of ZON13-12, subject to stipulations in the staff report with a modification to stipulation #7. Commissioner Dobbelaere seconded the motion, which passed unanimously.

Vice Chairperson Aldama made a motion to approve PP13-05, subject to stipulations with a modification to stipulations #2 and #3 in the staff report. Commissioner Dobbelaere seconded the motion, which passed unanimously.

Deborah Robberson, Deputy City Attorney, stated the Planning Commission's actions are not final regarding ZON13-12. The Commission's recommendation will be forwarded to City Council for further action.

Deborah Robberson, Deputy City Attorney, said PP13-05 is final approval by the Planning Commission subject to a written appeal if filed within 15 days.

OTHER BUSINESS

Chairperson Penilla called for Other Business. There was none.

PLANNING STAFF REPORT

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

COMMISSION COMMENTS AND SUGGESTIONS

Chairperson Penilla called for Comments and Suggestions.

The Commission welcomed Planning Commissioner Dobbelaere.

ADJOURNMENT

With no further business, Commissioner Johnston made a motion to adjourn the meeting. Commissioner Dobbelaere seconded the motion, which was approved unanimously. The meeting adjourned at 7:21 p.m.

NEXT MEETING: May 1, 2014



Planning Staff Report

DATE: June 5, 2014 **AGENDA ITEM:** /

TO: Planning Commission

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Remigio Cordero, Planner

SUBJECT: **CONDITIONAL USE PERMIT (CUP) APPLICATION CUP14-02: CHICK - FIL - A – 5908 WEST THUNDERBIRD ROAD**

REQUEST: CUP approval to allow a drive thru for a fast food restaurant in the C-2 (General Commercial) zoning district.

APPLICANT/OWNER: 4G Development and Consulting / Chick-fil-A.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of this neighborhood and consistent with the General Plan.

RECOMMENDATION: The Planning Commission should approve CUP14-02 subject to the two stipulations contained in the staff report.

PROPOSED MOTION: Move to approve CUP14-02 subject to the two stipulations contained in the staff report.

SUMMARY: Chick-fil-A is requesting a conditional use permit to allow a drive thru for a fast food restaurant. The Circle K fuel station and convenience store currently operating onsite will be demolished and a 4,825 square foot freestanding restaurant will be constructed.

COMMISSION ACTION: Commissioner _____ made a motion to _____ CUP14-02 subject to the stipulation contained in the staff report. Commissioner _____ seconded the motion. The motion was _____ to _____.

DETAILS OF REQUEST:

General Plan Designation:

The property is designated as GC (General Commercial).

Property Location and Size:

The property is located at the northwest corner of 59th Avenue and Thunderbird Road and is 1.19 acres in size.

History:

On March 6, 1997 a CUP was approved for convenience uses for a fuel station with a convenience store.

Design Review:

DR14-10 was submitted concurrently with the CUP application.

Project Details:

Chick-fil-A will demolish the existing Circle K convenience store and gas station to construct a new 4,825 square foot restaurant with a drive thru. The applicant will provide 30% landscape coverage and provide adequate onsite parking. The proposed drive-thru lane will be adequate in length to accommodate a queuing of more than six vehicles. Traffic will flow in a counterclockwise direction around the building. Ingress and egress to the site will be a right in and right out only on Thunderbird Road and 59th Avenue. Customers leaving this location will not have the ability to turn left onto Thunderbird Road or 59th Avenue. This will ensure a more efficient traffic flow to and from the site.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On April 24, 2014, the applicant mailed notification letters to adjacent property owners and interested parties. The applicant received one email response in support of the request. Planning did not receive any response regarding the request either. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Glendale Star* on May 15, 2014. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on May 16, 2014. The property was posted by the applicant on May 16, 2014.

STAFF FINDINGS AND ANALYSIS:

Findings:

- The proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the C-2 zoning district;
- The proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or

have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;

- The proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
- The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient; and
- Adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects can be mitigated.

Analysis:

- The existing C-2 zoning is compatible with the General Plan designation of GC. The zoning allows for a convenience use subject to CUP approval.
- The proposed use is compatible with adjacent uses in the vicinity. The property is located near the intersection of two arterial streets (59th Avenue and Thunderbird Road) and within an existing commercial corridor.
- Approval of the CUP request will not have an adverse effect on the adjacent properties or the surrounding community. The applicant completed the Citizen Participation process without receiving any opposition.
- The site is adequate in size and shape to accommodate the intended use of the site as a restaurant with a drive-thru lane. The building setbacks meet the zoning ordinance standards. The onsite landscaping exceeds the zoning ordinance standards by 10%.
- The proposed drive-thru does not adversely affect the function of the site. The pick-up window should be covered with a canopy. The drive-thru lane can accommodate a queuing of more than six vehicles. On-site circulation will allow for safe and efficient vehicular circulation and parking.
- All applicable city departments have reviewed the application and recommend approval.

RECOMMENDATION:

This request appears to meet the required findings for Conditional Use Permit approval and should be approved, subject to the following stipulations:

1. Development shall be in substantial conformance with the site plan dated February 12, 2014, and the project narrative, dated March 10, 2014, subject to design review (DR14-10) approval by the Community and Economic Development Department.
2. The drive thru pick-up window shall include an architecturally integrated canopy.

ATTACHMENTS:

1. Required Findings for Conditional Use Permits.
2. Applicant's Narrative, date stamped May 9, 2014.
3. Site Plan, date stamped May 9, 2014.
4. Citizen Participation Final Report (without mailing labels), approved May 20, 2014.
5. Vicinity Zoning Map.
6. Aerial Photograph, dated November 2012.

PROJECT MANAGER:

Remigio Cordero, Planner (623) 930-2597
rcordero@glendaleaz.com

REVIEWED BY:



Planning Director



Executive Director

RC/df

REQUIRED FINDINGS FOR CONDITIONAL USE PERMITS

Section 3.904 of the Zoning Ordinance requires that the following findings be met before granting a Conditional Use Permit:

- A. That the proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the zoning district in which the site is located;
- B. That the proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;
- C. That the proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zone district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
- D. That the proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient; and
- E. That adequate conditions or stipulations have been incorporated into the approval of the Use Permit to ensure that any anticipated detrimental effects can be mitigated.



March 10, 2014

Attn: Glendale Planning Dept.

Re: Project Narrative, Chick-fil-A
CUP14-02, 5908 W. Thunderbird Rd.

Chick-fil-A proposes the demolition of the existing Circle K gas station and convenience store and construction of a new 4,825 sf Chick-fil-A restaurant, with indoor seating for 136, drive-thru service and an outdoor patio with seating for 16 patrons.

The site is located in the C-2 Zone. The use is allowed in this Zoning District and the restaurant is located in a commercial corridor with other like shopping and restaurant uses. The restaurant will serve the local residents and workers by providing a convenient, healthy, quick service food option. The building will be located along the westerly portion of the property, with parking located primarily east of the building. The drive-thru is located on the north and west sides of the building and allows for increased stacking during busy periods. The site layout and circulation effectively separate pedestrians from the drive-thru customers by providing a logical and safe vehicular and pedestrian pattern throughout the site. The entire parcel will be enhanced with new, appropriate landscaping, suitable for the environment.

The building's architectural characteristics fit the desert context with the new, muted colors. Likewise, the addition of stone veneer will provide a contextual tie in with buildings seen in the vicinity. The drive-thru will be screened by a new screen wall that will be color coated to coordinate with the new building. The patio will provide an inviting sitting area and compliment the scenic corridor.

Additionally, Chick-fil-A will install new right turn lanes on both the 59th Ave frontage as well as the Thunderbird frontage to facilitate traffic movement. Included will be an area for a future bus stop on Thunderbird Blvd.

This proposed development will require a Conditional Use Permit for the drive-thru feature as well as Administrative Relief to offset the additional parking required for the outside patio area. This administrative relief amounts to three (3) parking spaces.

Sincerely,

Bob Hatch
Project Manager
4G Development & Consulting

CITY OF GLENDALE
MAY 10 2014
PLANNING DEPARTMENT

**CITIZEN
PARTICIPATION
PLAN
Final Report**

CUP14-02

**Proposed 4,825 sf
Chick-fil-A Restaurant
5908 W Thunderbird Rd.**

Prepared by:

Bob Hatch

Project Manager 4G Development & Consulting

5-19-14

APPROVED

MAY 20 2014

**City of Glendale
Planning Department**

Penyia Cordova

Brief Description

We are requesting a Conditional Use Permit to allow Chic-fil-A to build a new 4,825 sf restaurant with drive-thru at 5908 W. Thunderbird Rd. in Glendale, Az.

Currently, there is an existing Circle K gas station and convenience store operating at the site, with a drive-thru that appears to be unused and a separate car was facility.

This request is necessary for the drive-thru due to the proximity of the residential neighborhood to the north-east.

Notification

The City of Glendale has determined that a notification letter (the "Letter") is the most appropriate public notification technique for this project. A copy of the Letter is attached **hereto**.

The notification map and a list of property owners within a 500' radius of the project are attached to this report. All property owners within this are were notified. Additionally, all individuals identified as "Interested Parties" by the City of Glendale Planning Department and those on the Additional Notification List were sent this required notification.

Affected Parties

Notification was sent to all parties that may be affected, directly or indirectly, and any individuals that expressed concern.

Results

A total of 106 notices were mailed and out of those mailings, six (6) letters were returned as unable to forward.

4G Development received in total, only one comment. This comment via email was from Councilman Sherwood and was supportive in nature.

Project Impact on Affected Properties and Surrounding Property Owners

The opening of a new Chick-fil-A Restaurant at this site will ultimately have a positive impact on the surrounding community.

- The overall site will be renewed and upgraded with current architecture and landscaping, providing an aesthetically pleasing environment.
- The existing site has a drive-thru, though apparently not currently in use. Therefore, a drive-thru has already been associated with this site.
- The new facility will provide a family friendly atmosphere, including an indoor play area as well as outdoor patio seating.
- The new restaurant will likely provide substantially more local jobs than the existing facility.
- Chick-fil-A has agreed to the City's request to widen both 59th Ave. and Thunderbird Road, to facilitate traffic movement.
- Chick-fil-A will also plan for and provide a bay for a future Bus Stop adjacent to the restaurant on Thunderbird Rd.

Appearance: Improved with new building and landscaping

Safety: Improved as site will be more open and visible.

Access: Improved with addition of new right turn lanes on both frontage streets.

Size/Shape: The parcel will be approximately the same size, though it will appear smaller due to the added traffic lanes. These new lanes will be built in the existing ROW which is currently landscaping.

Opportunities to Discuss Proposal

Interested individuals were welcome to call, text or email me throughout the application process. Phone number is 619-208-0755 and email is bhatch@4Gdev.com.

Changes or Amendments to the Proposal

Another notification letter will be mailed if changes occur to the project prior to the hearing date.

Informing Planning Department of Citizen Participation Progress

Throughout the process, we will update our project planner regarding any issues related to our Citizen Participation efforts via email and/or phone calls.

Citizen Participation Plan Schedule

March, 2014	Submit Citizen Participation Plan to project planner for approval.
April 24, 2014	Mail Notification Letters.
Mid May, 2014	Deadline to receive comments.
May 19, 2014	Submit Citizen Participation Plan to project planner for final approval.

4G Development & Consulting

4G Development & Consulting
Bob Hatch, Project Mgr
12760 Danielson Ct. Ste. G
Poway, Ca. 92064
619-208-0755
bhatch@4Gdev.com

April 24, 2014

Dear Neighbor,

This letter is to inform you that we are applying for a Conditional Use Permit (CUP) with the City of Glendale. The property is located at 5908 W. Thunderbird Rd. Glendale, Az. 85306.

We propose to build a new Chick-fil-A restaurant with drive-thru at this site which currently houses a Circle K gas station, car wash and convenience store.

The purpose of the CUP is to allow for a drive-thru in conjunction with the restaurant. It should be noted that this site has previously been approved for a drive-thru, and that one currently exists, though it does not appear to be used.

The property will be completely renovated with new landscape to go with the new building. Included will be outside patio seating along with an indoor kids play area.

Additionally, Chick-fil-A at their cost, will extend the right turn lane on 59th Ave., south to the intersection and also include a right turn lane on Thunderbird Rd. fronting the restaurant. This new right turn lane will also include an area for a future bus stop.

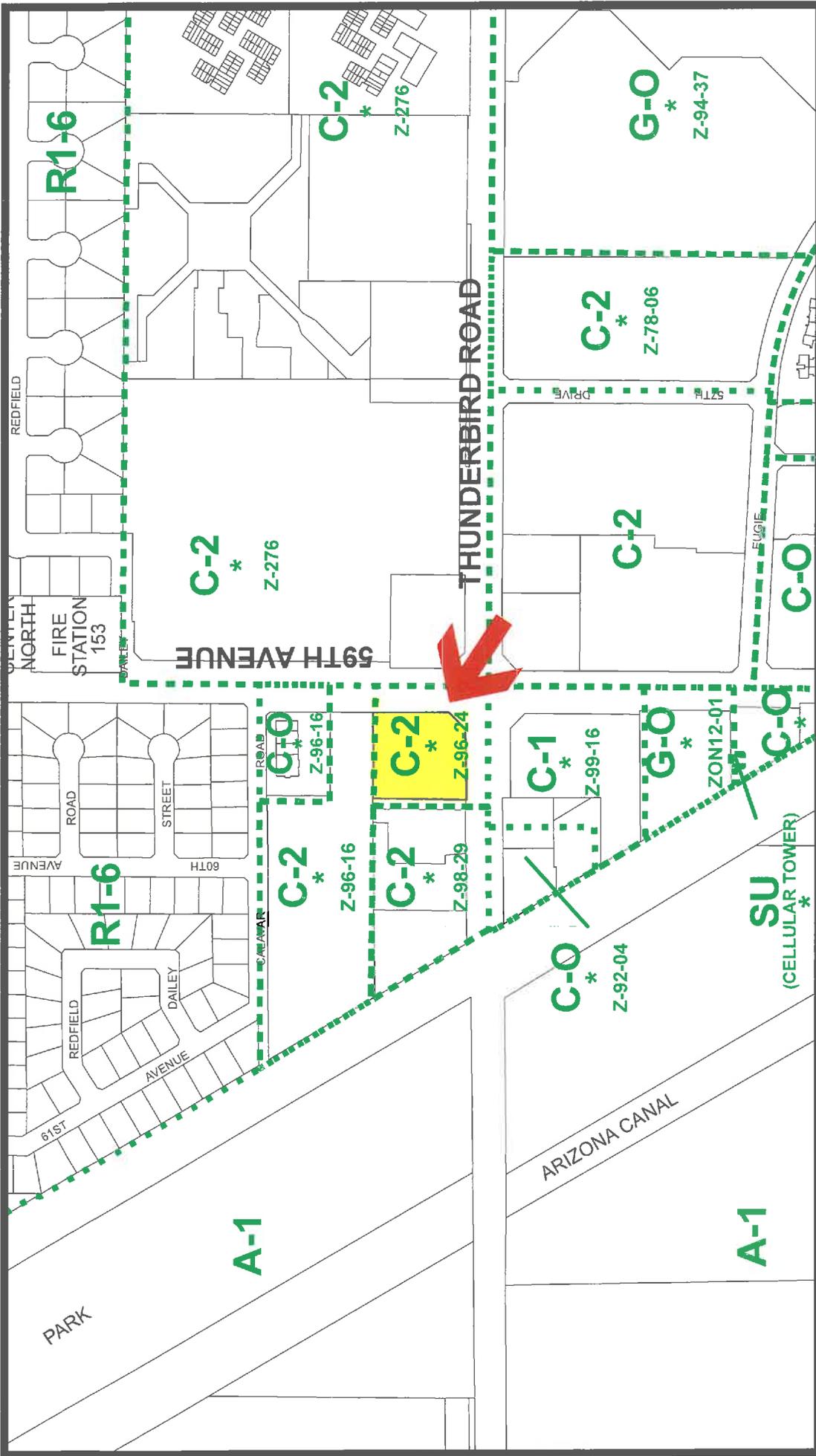
I have included a site plan with this letter for your review. Please provide any comments to my attention by March 31, 2014 via email, phone or mail. You can also contact Remigio Cordero at the City of Glendale Planning Department. He can be reached by phone at 623-930-2597 or via email rcordero@glendaleaz.com .

Sincerely,

Bob Hatch

RECOMMENDED NEIGHBORHOOD NOTIFICATION AREA	
NAME OF REQUEST:	Chick-fil-A Drive Thru CUP
LOCATION:	5908 W Thunderbird Rd. Glendale, Az.
REQUEST: Approval of a Conditional Use Permit to allow for a drive-thru at this site	
ZONING DISTRICT: C-2	COUNCIL DISTRICT:





REQUEST

A CONDITIONAL USE PERMIT FOR A DRIVE THRU IN THE C-2 (GENERAL COMMERCIAL) ZONING DISTRICT.



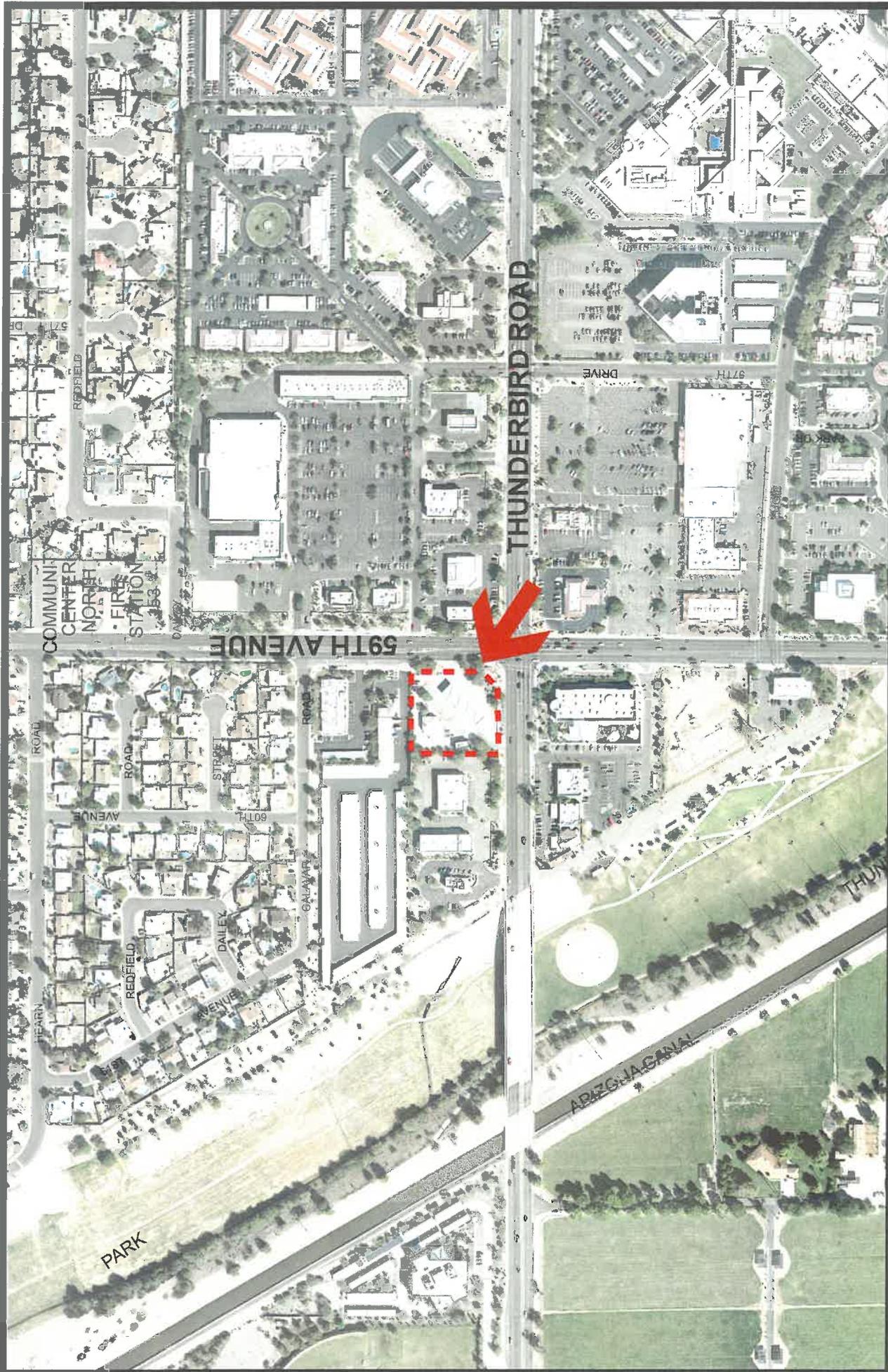
CASE NUMBER

CUP14-02

LOCATION

5908 W. THUNDERBIRD ROAD





Aerial Date: November 2012



CASE NUMBER
CUP14-02





Planning Staff Report

DATE: June 5, 2014 **AGENDA ITEM:** 2

TO: Planning Commission

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Remigio Cordero, Planner

SUBJECT: **CONDITIONAL USE PERMIT (CUP) APPLICATION CUP14-03:
DESERET INDUSTRIES – 6825 WEST BELL ROAD**

REQUEST: CUP approval to allow a thrift store in the C-2 (General Commercial) zoning district.

APPLICANT/OWNER: EMC2 Architects and Planners PC / The Church of Jesus Christ of Latter Day Saints.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of this neighborhood and consistent with the General Plan.

RECOMMENDATION: The Planning Commission should approve CUP14-03 subject to the stipulations contained in the staff report.

PROPOSED MOTION: Move to approve CUP14-03 subject to the stipulations contained in the staff report.

SUMMARY: The property owner is seeking a CUP to allow a thrift store for a Deseret Industries store. A new 50,043 square foot building will be constructed on a vacant 10 acre pad site within an existing shopping center.

COMMISSION ACTION: Motion made by Commissioner _____ to _____
CUP14-03 subject to the stipulations contained in the staff report. Motion seconded by
Commissioner _____. The motion was _____ with a vote of _____ to _____.

DETAILS OF REQUEST:

General Plan Designation:

The property is designated as PC (Planned Commercial).

Property Location and Size:

The property is located at the southwest corner of 67th Avenue and Bell Road and is 10.80 acres in size.

History:

On September 9, 1980 this property was part of a Planning Commission initiative to rezone several parcels of land in this section of the City (Rezoning Application Z-80-34). A design review application was approved and development started with a Kmart shopping center in 1994.

Design Review:

A design review application (DR14-13) has been submitted concurrently with the conditional use permit application.

Project Details:

The property owner is proposing to construct two buildings on a 10 acre pad site. The proposed thrift store will be within a new 50,043 square foot building. Vehicular access will be provided off of existing internal drives that are fed from Bell Road and 67th Avenue. An existing driveway provides secondary access to 69th Avenue. The land uses in the immediate area are commercial to the north and east, with a residential subdivision to the south and west.

The retail entrance will be on the north side of the building. The drop off location for donated items is located on the rear portion of the building and will be screened from public view. Regular store hours will be from 10am to 6pm on Mondays, and 10am to 9pm Tuesday through Saturday. The store will be closed on Sundays. Adequate parking will be provided which will exceed the zoning ordinance minimum requirement.

There will be an additional 19,564 square foot building that will be constructed in addition to the thrift store that will provide new opportunities for permitted land uses on this property. None of the uses provided within this building require CUP approval.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Plan:

On February 18, 2014, the applicant mailed notification letters to adjacent property owners and interested parties notifying them of a neighborhood meeting to discuss their CUP proposal. On March 5, 2014 a neighborhood meeting was held at the City of Glendale Council Chambers Building. There was one resident in attendance, along with city staff, and members of the project team. Issues that were brought up during the meeting were if the building was going to be two stories and if so would there be windows looking into the backyards of the neighboring homes. The applicant addressed these concerns and informed the resident that the two buildings

being constructed will not exceed one story and the buildings will not have windows looking into any neighboring properties. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Glendale Star* on May 15, 2014. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on May 16, 2014. The property was posted by the applicant on May 16, 2014.

STAFF FINDINGS AND ANALYSIS:

Findings:

- The proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the zoning district in which the site is located;
- The proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;
- The proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
- The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient; and
- Adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects can be mitigated.
- Additional screening and landscaping is needed.

Analysis:

- The proposed thrift store is consistent with the policies of the General Plan and the purpose of the C-2 zoning district. Thrift stores are permitted in this zoning district subject to CUP approval.
- The proposed use will not be materially detrimental to or have an adverse effect on the surrounding neighborhood or the city. The 10 acre site is adequate in size to accommodate a retail thrift store. Deseret Industries is proposing to construct two buildings that will be consistent with the existing architecture in the immediate area. The donation location will be screened from public view and away from the retail portion of the store.
- This location is adequate in size for the operation of a retail thrift store. The property owner will provide additional parking and landscaping that will meet development standards.
- Existing drive aisles and new drive aisles will provide adequate circulation throughout the project. There are two arterials, 67th Avenue and Bell Road that provide access to the shopping center.

- The applicant has shown that all measures have been taken to meet the findings for a conditional use permit for a thrift store.
- All applicable city departments have reviewed the application and recommend approval of the application.

RECOMMENDATION:

This request appears to meet the required findings for Conditional Use Permit approval and should be approved, subject to the following stipulations:

1. Development shall be in substantial conformance with the site plan, dated May 1, 2014, and the project narrative, dated March 17, 2014, subject to design review approval by the Community Development Group.
2. Provide three 36" box native trees on the southwest corner of the site.

ATTACHMENTS:

1. Required Findings for Conditional Use Permits.
2. Applicant's Narrative, dated March 17, 2014.
3. Site Plan, dated May 1, 2014.
4. Citizen Participation Final Report (without mailing labels), approved March 17, 2014.
5. Vicinity Zoning Map.
6. Aerial Photograph, dated November 2012.

PROJECT MANAGER: Remigio Cordero, Planner (623) 930-2597
rcordero@glendaleaz.com

REVIEWED BY:



Planning Director



Executive Director

RC/df

REQUIRED FINDINGS FOR CONDITIONAL USE PERMITS

Section 3.904 of the Zoning Ordinance requires that the following findings be met before granting a Conditional Use Permit:

- A. That the proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the zoning district in which the site is located;
- B. That the proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;
- C. That the proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zone district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
- D. That the proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient; and
- E. That adequate conditions or stipulations have been incorporated into the approval of the Use Permit to ensure that any anticipated detrimental effects can be mitigated.



Architects ■ Planners, PC

Learning Places & Growing Spaces

Emc2 GROUP ARCHITECTS PLANNERS, PC
1635 North Greenfield Road
Suite 144
Mesa, AZ 85205

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T 800 372 6849

www.emc2architects.com

March 17, 2014

City of Glendale
Community and Economic Development Department
5850 West Glendale Ave.
Glendale, AZ 85301
623-930-2800

Subject: Project Narrative
Retail Service Center
6825 West Bell Road, Glendale Arizona

Dear Planning Staff,

The Church of Jesus Christ of Latter Day Saints is planning to build a new Retail Service Center at the Southeast Corner of Bell Rd. and 67th Ave, adjacent the Kmart and Chuck-E-Cheese. The Service Center will include 2 buildings;

The new buildings will be constructed on a 470,310 SF (10.80 AC.) lot, in a Planned Commercial Zoning District. The adjacent Zoning districts consist of Medium Density Residential, Medium-High Density Residential, Planned Commercial, and Office zoning.

Building 1 – 50,043 SF includes:

1. Deseret Industries
 - Deseret Industries will provide a retail store to the public as well as employment opportunities and training.
2. Employment Resource Center
 - Employment Resource Center provides extensive resources for those seeking jobs. Services provided at the resource centers have successfully empowered many individuals to obtain their desired employment.
3. Family History Center (Future Expansion)
 - Family History Center allows individuals to research the genealogy of their ancestry background and heritage.

Building 2 – 19,564 SF includes:

1. Bishops' Storehouse
 - Bishops' Storehouse warehouse and distribute commodities to the indigent and needy as requested by local ecclesiastical leaders.
2. Home Storage Center
 - Home Storage Center stocks a limited selection of commercially packaged food storage items.
3. Mission Office
 - The Mission Office will be used to supervise missionary efforts in the area.
4. Family Services
 - Family Services provides counseling services, rehabilitation services to members of the community that have been referred by bishops.

The building styles and facades are designed to complement the existing adjacent retailers. The new service center will help generate retail traffic that can benefit adjacent retailers creating a new well-maintained Service Center in an area that has been vacant for many years.

Hours of Operation:

Building I: Deseret Industries; Monday 10:00am-6:00pm, Tuesday-Saturday 10:00am-9:00pm and closed Sunday

Building II: Bishops Storehouse; Monday-Friday 8:00am-5:00pm, Saturday 8:00am-12:00pm and closed Sunday

We look forward to submitting this project for your review.

Sincerely,

Melissa Arnn
Assistant Project Manager
Emc2 GROUP ARCHITECTS PLANNERS, PC

CITY OF GLENDALE
March 17 2014
PLANNING DEPARTMENT

CITIZEN PARTICIPATION PLAN FINAL REPORT CUP14-03

**Retail Service Center
Building I and Building II**

**6825 West Bell Road
Glendale, Arizona**

APPROVED

MAR 17 2014

City of Glendale
Planning Department

*Russio
Coburn*

Prepared By: Emc2 Architects

March 17th, 2014



Architects ■ Planners.PC

Learning Places & Growing Spaces

Emc2 GROUP ARCHITECTS PLANNERS, PC

1635 North Greenfield Road

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Mesa, AZ 85205

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www.emc2architects.com

March 17, 2014

City of Glendale
Community and Economic Development Department
5850 West Glendale Ave.
Glendale, AZ 85301
623-930-2800

Subject: Citizen Participation Final Report
Retail Service Center
6825 West Bell Road, Glendale Arizona

Dear Planning Staff,

The Church of Jesus Christ of Latter Day Saints is planning to develop a new Retail Service Center at the Southeast Corner of Bell Rd. and 67th Ave, adjacent the Kmart and Chuck-E-Cheese. The Retail Service Center will include 2 buildings. Both buildings will include retail space, office space and warehouse space.

➤ Building 1 includes:

1. Deseret Industries
 - Deseret Industries will provide a retail store to the public as well as employment opportunities and training.
2. Employment Resource Center
 - Employment Resource Center provides extensive resources for those seeking jobs. Services provided at the resource centers have successfully empowered many individuals to obtain their desired employment.
3. Family History Center (*Future Expansion*)
 - Family History Center allows individuals to research the genealogy of their ancestry background and heritage.

Building 2 includes:

1. Bishops' Storehouse
 - Bishops' Storehouse warehouse and distribute commodities to the poor and needy as requested by local ecclesiastical leaders (bishops).
2. Home Storage Center
 - Home Storage Center stocks a limited selection of commercially packaged food storage items.
3. Mission Office
 - The Mission Office will be used to supervise missionary efforts in the area.
4. Family Services
 - Family Services provides counseling services, rehabilitation services to members of the community that have been referred by bishops.

Both buildings will be designed to complement existing retail buildings adjacent to the property both in style and color. The facilities will have normal business. The new buildings will be a great addition to the existing retail property generating retail traffic that will benefit adjacent retailers.

- A public notification letter was mailed off the 18th of February for a Neighborhood Notification Meeting that was scheduled for March 5th at 6:00pm.
- See appendix 1 for notification letter and site plan that was mailed.
- Map of notification area:
- See appendix 2.
- List of people notified:
- See appendix 3.
- The Neighborhood Notification Meeting was located in the Glendale City Hall Basement Meeting Room B2.
- There were 243 people notified of the Neighborhood Notification Meeting, of which one individual attended.
- This individual expressed his concern about the proposed buildings being two-story, and if that were the case the windows from the second story would violate the privacy of his backyard.



Aerial Date: November 2012



CASE NUMBER

CUP14-03





Planning Staff Report

DATE: June 5, 2014 **AGENDA ITEM:** 3

TO: Planning Commission

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Remigio Cordero, Planner

SUBJECT: **CONDITIONAL USE PERMIT (CUP) APPLICATION CUP14-04:
ARIZONA GENERAL HOSPITAL – 5171 WEST OLIVE
AVENUE**

REQUEST: CUP approval to allow a 24 hour medical facility in the C-2 (General Commercial) zoning district.

APPLICANT/OWNER: Mays and Company Real Estate Development / Arizona General Hospital ER.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of this neighborhood and consistent with the General Plan.

RECOMMENDATION: The Planning Commission should approve CUP14-04 subject to the stipulation contained in the staff report.

PROPOSED MOTION: Move to approve CUP14-04 subject to the stipulation contained in the staff report.

SUMMARY: This is a request to allow an urgent care facility to operate 24 hours a day. An urgent care facility is a permitted land use in the C-2 zoning district. The owner is proposing to build a 7,456 square foot facility within the Olive Marketplace Shopping Center.

COMMISSION ACTION: Commissioner _____ made a motion to _____
CUP14-04 subject to the stipulation contained in the staff report. Commissioner
_____ seconded the motion. The motion was _____ to _____.

DETAILS OF REQUEST:

General Plan Designation:

The property is designated as PC (Planned Commercial).

Property Location and Size:

The property is located west of the southwest corner of 51st and Olive avenues and is 1.89 acres in size.

History:

This property is part of Rezoning application Z-99-01 and was rezoned to C-2 in 1999. The proposed development is within the Olive Marketplace Shopping Center which consists of several commercial buildings that have been constructed since 2010.

Design Review:

A design review application DR14-03 has been submitted concurrently with the rezoning application.

Project Details:

Arizona General ER will construct a 7,456 square foot freestanding building that will provide off street parking and new landscaping throughout the parcel. The architecture will match the Olive Marketplace theme. The applicant will provide outpatient services only. Arizona General ER will provide conscious sedation and not administer general anesthesia. They will provide ambulatory services to patients that require care by a full service hospital. It is stated within the narrative that Arizona General ER only transports 5 to 7 patients a month to a full service hospital. The urgent care will have adequate vehicular access throughout the site with a drive aisle that wraps around the building. There will be an additional private drive way that will connect to the shopping center.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On March 20, 2014, the applicant mailed notification letters to adjacent property owners and interested parties notifying them of a neighborhood meeting. On April 23, 2014, a neighborhood meeting was held at the City of Glendale Council Chambers Building. Only the applicant's project team and City Staff attended, and none of the residents notified attended the meeting. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Glendale Star* on May 15, 2014. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on May 16, 2014. The property was posted by the applicant on May 16, 2014.

STAFF FINDINGS AND ANALYSIS:

Findings:

- The proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the C-2 zoning district;
- The proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;
- The proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zoning district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
- The proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient; and
- Adequate conditions or stipulations have been incorporated into the approval of the conditional use permit to ensure that any anticipated detrimental effects can be mitigated.

Analysis:

- The existing C-2 zoning district is compatible with the General Plan designation of Planned Commercial. A medical clinic is a permitted use. A medical clinic that operates 24 hours is a permitted land use subject to CUP approval.
- The proposed use is compatible with adjacent uses in the vicinity. The property is located west of the intersection of two arterial streets (51st Avenue and Olive Avenue) and within an existing shopping center.
- Approval of the CUP request will not have an adverse effect on the adjacent properties or the surrounding neighborhood. The applicant completed the Citizen Participation process without receiving any input.
- The site is adequate in size and shape to accommodate the intended use. The building setbacks and landscaping meet the zoning ordinance standards.
- The proposed 24 hour operation for this medical clinic (urgent care) does not adversely affect the function of the site. On-site circulation will allow for safe and efficient vehicular circulation and parking.
- All applicable city departments have reviewed the application and recommend approval of the application.

RECOMMENDATION:

This request appears to meet the required findings for Conditional Use Permit approval and should be approved, subject to the following stipulation:

1. Development shall be in substantial conformance with the site plan, dated April 29, 2014, and the project narrative, dated March 20, 2014, subject to design review approval by the Community and Economic Development Department.

ATTACHMENTS:

1. Required Findings for Conditional Use Permits.
2. Applicant's Narrative, date stamped March 20, 2014.
3. Site Plan, date stamped April 29, 2014.
4. Citizen Participation Final Report (without mailing labels), approved May 16, 2014.
5. Vicinity Zoning Map.
6. Aerial Photograph, dated November 2012.

PROJECT MANAGER:

Remigio Cordero, Planner (623) 930-2597
rcordero@glendaleaz.com

REVIEWED BY:



Planning Director



Executive Director

RC/df

REQUIRED FINDINGS FOR CONDITIONAL USE PERMITS

Section 3.904 of the Zoning Ordinance requires that the following findings be met before granting a Conditional Use Permit:

- A. That the proposed use is consistent with the policies, objectives, and land use map of the Glendale General Plan and the purpose of the zoning district in which the site is located;
- B. That the proposed use will not be materially detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties, the surrounding neighborhood or the city when consideration is given to the character and size of the use and hours of operation;
- C. That the proposed site is adequate in size and shape to accommodate the intended use and that all requirements for the zone district, including but not limited to: setbacks, walls, landscaping and buffer yards are met;
- D. That the proposed site has adequate access to public streets and highways to carry the type and quantity of traffic which may be generated by the subject use, and that on-site circulation is adequate to permit driveways, parking, and loading requirements in a manner which is safe and efficient; and
- E. That adequate conditions or stipulations have been incorporated into the approval of the Use Permit to ensure that any anticipated detrimental effects can be mitigated.



5949 Sherry Lane, Suite 1570
Dallas, TX 75225
Phone: (214) 363-8400
Fax: (214) 363-8409
www.mayscompany.com

March 20, 2014

City of Glendale, Arizona
5850 West Glendale Ave, Suite 212
Glendale, AZ 85301-2599

RE: ***Conditional Use Permit
Arizona General Hospital ER
5171 West Olive Avenue
Case Number: DR14-03***

To whom it may concern,

Mays & Company Real Estate Development, on behalf of Arizona General Hospital ER (Adeptus Health is the parent company), is pleased to submit for your review and approval, this preliminary Site Plan package for an Arizona General Hospital ER (AGH ER) facility proposed to be located at 5171 West Olive Avenue.

Adeptus Health is the country's leading freestanding emergency room system; it is both the largest and the oldest. Adeptus Health has just celebrated its 10th year in business and recently opened its 17th facility in Colorado Springs, Co.

Arizona General Hospital ER offers a full range of emergency medical services and is open 24 hrs/day and 7 days/week. However, these services are provided on an "out-patient" basis only and any one patient will not remain in the facility for over 23 hours. Patients come to AGH ER by private transportation – meaning that no patients are delivered to AGH ER in an ambulance. AGH ER only performs conscious sedation; no patients will ever be put under general anesthesia. AGH ER's staffing model includes one board certified emergency physician, one emergency trained registered nurse, one radiology tech, and one front office employee. Because of the staffing model, one conscious sedation can be performed at a time. AGH ER will not use general anesthesia to render a patient incapable of self-preservation.

In the rare event that a patient cannot be treated at AGH ER or requires a higher level of care than AGH ER can provide (surgery, hospitalization, monitored for over 23 hrs, etc.), an ambulance may be called to safely transport the patient to the full service hospital. On those rare occasions, transport to a full service hospital will be made by a private ambulance service under contract with AGH ER. Because the ambulance transportation is a vendor to AGH ER, AGH ER can dictate that the ambulance refrain from using sirens and lights until they depart the property and are traveling on city street in route to a full

CITY OF GLENDALE
MAR 20 2014
PLANNING DEPARTMENT

service hospital. There are approximately 5 to 7 ambulance transfers per month to a full service hospital.

The AGH ER Site is a 1.89 acre portion of Olive Marketplace, LLC, and partially developed 20.94 acre tract located at 5171 West Olive Avenue. The zoning for this site is C-2 which allows this type medical use described as "Medical or dental clinics".

The architectural style of the building is keeping with the style of the neighboring commercial building and includes earth tone colors, stucco and stone materials, trellis-like canopies and a gabled standing seam metal roof entry element.

We think our proposed project is a good and beneficial use for the community and aesthetically fits in well with the surrounding developments. It will be a great catalyst for the future development.

We appreciate your time in reviewing the accompanying submittal package. If you have any questions or comments regarding this submittal, please contact us.

Thank you,



Michelle R. Smith
Development Manager
Mays & Company

**CITIZEN PARTICIPATION PLAN
FINAL REPORT**

ARIZONA GENERAL HOSPITAL ER

5171 West Olive Avenue

Case # CUP14-04

Prepared By:

Michelle R. Smith



5949 Sherry Lane, Suite 1570
Dallas, TX 75225
Phone: (214) 363-8400
Fax: (214) 363-8409
www.mayscompany.com

May 16, 2014

APPROVED

MAY 16 2014

City of Glendale
Planning Department

Russie Cochran

Project Description:

I am requesting a variance to allow the Arizona General Hospital ER to be a 24 hour emergency room. The Arizona General Hospital ER facility is a permitted use by right in the C-2 (General Commercial) zoning district. This request is necessary because it is the business plan to offer a full range of emergency medical services open 24 hrs. However, these services are provided on an "out-patient" basis only and any one patient will not remain in the facility for over 23 hours.

Public Notification Technique:

Planning has determined that a neighborhood notification meeting is most appropriate public notification technique for this project.

Notification:

- The notification area map and a list of property owners are attached in this report. All property owners in the notification area were notified of a neighborhood meeting held on April 23, 2014.
- Notification was sent to all Homeowners Associations and Registered Neighborhood Groups, and their representatives.
- Notification was sent to all Interested Parties
- Notification was sent to the individuals on the "Additional Notification" list.
- Notification was sent to all parties who may be affected, directly or indirectly, and those individuals who expressed interest or concern.

Possible concerns or issues:

- Identify that the meeting was held and of all the parties notified no residents showed up.
- AGH ER's staffing model includes one board certified emergency physician, one emergency trained registered nurse, one radiology tech, and one front office employee. Because of the staffing model, one conscious sedation can be performed at a time. AGH ER will not use general anesthesia to render a patient incapable of self-preservation.
- In the rare event that a patient cannot be treated at AGH ER or requires a higher level of care than AGH ER can provide (surgery, hospitalization, monitored for over 23 hrs, etc.), an ambulance may be called to safely transport the patient to the full service hospital. On those rare occasions, transport to a full service hospital will be made by a private ambulance service under contract with AGH ER. Because the ambulance transportation is a vendor to AGH ER, AGH ER can dictate that the ambulance refrain from using sirens and lights until they depart the property and are traveling on city street in route to a full service hospital. There are approximately 5 to 7 ambulance transfers per month to a full service hospital.

- The architectural style of the building is keeping with the style of the neighboring commercial building and includes earth tone colors, stucco and stone materials, trellis-like canopies and a gabled standing seam metal roof entry element. We think our proposed project is a good and beneficial use for the community and aesthetically fits in well with the surrounding developments. It will be a great catalyst for the future development.
- Individuals will be free to call me at any time during the application process.
- Another notification letter will be mailed if changes to my project occur before my hearing date.
- I will call my project planner to update him if I received any concerns or issues directly.

Project Schedule:

Mid March (3/20/14): Submit Citizen Participation Plan to Planner

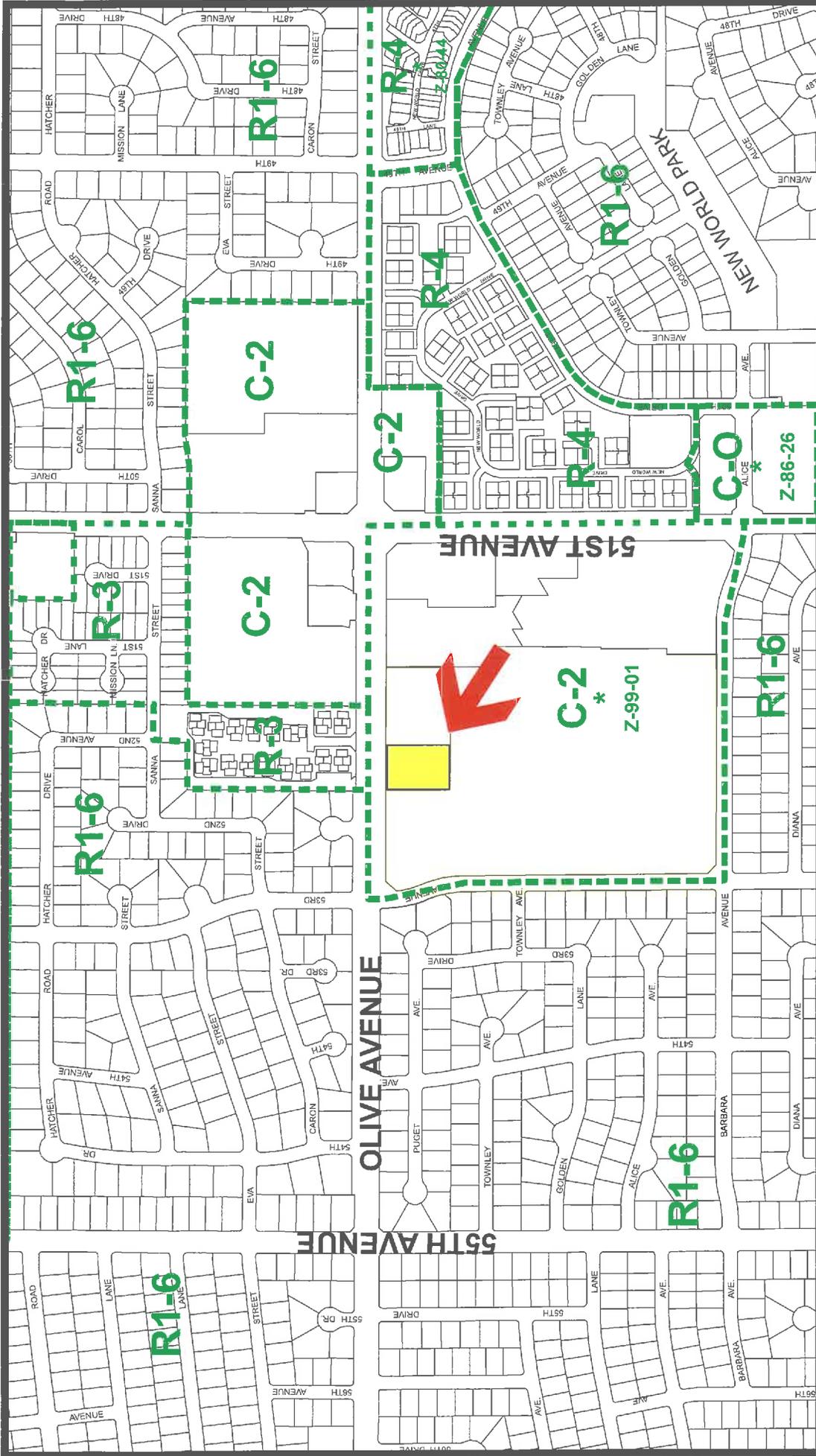
Late March (3/31/14): Mail neighborhood meeting notification letters

Beg April (4/10/14): Deadline to receive comments

Mid April (4/23/14): Neighborhood meeting held

Mid May (5/16/14): Submit Final Report Citizen Participation Plan to planner

Beg June (6/5/14): Public Hearing scheduled



REQUEST

A CONDITIONAL USE PERMIT FOR A
24 HOUR MEDICAL FACILITY IN THE
C-2 (GENERAL COMMERCIAL) ZONING
DISTRICT.



CASE NUMBER

CUP14-04



LOCATION

5171 W. OLIVE AVENUE



Aerial Date: November 2012



CASE NUMBER
CUP14-04

