



Planning Commission Meeting Agenda

COUNCIL CHAMBERS
JANUARY 3, 2013
7:00 P.M.

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES November 15, 2012 Public Hearing

IV. WITHDRAWALS AND CONTINUANCES

ZON12-03: A request by Gilmore Parsons, representing Litchfield & Bethany Home, LLC, to rezone 171 acres from A-1 (Agricultural) and C-3 (Heavy Commercial) to M-1 (Light Industrial). The site is located west of Litchfield Road on the north and south sides of Bethany Home Road (6010 North Litchfield Road). Staff Contact: Karen Stovall, Senior Planner (Yucca District).

V. PUBLIC HEARING ITEM

CUP12-07: A request by Michael Allen, representing Jay Mark LLC, for a Conditional Use Permit to allow automobile sales in the C-2 (General Commercial) zoning district. The site is located at the northwest corner of 56th Avenue and Grand Avenue (5610 NW Grand Avenue). Staff Contact: Remigio Cordero, Planner (Ocotillo District).

VI. OTHER BUSINESS

VII. OTHER BUSINESS FROM THE FLOOR

VIII. PLANNING STAFF REPORT

IX. COMMISSION COMMENTS AND SUGGESTIONS

X. NEXT MEETING: February 7, 2013

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, NOVEMBER 15, 2012
7:00pm**

CALL TO ORDER

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

Commissioners Present: Chairperson Sherwood (Sahuaro), Commissioner Petrone (Cholla), Commissioner Larson (Mayoral), Commissioner Williams (Ocotillo), and Commissioner Penilla (Barrel).

There are two vacant positions, Cactus and Yucca.

City Staff Present: Tabitha Perry, Assistant Planning Director, Jon M. Froke, AICP, Planning Director, Craig Tindall, City Attorney, Karen Stovall, Senior Planner, and Diana Figueroa, Recording Secretary.

APPROVAL OF MINUTES

Chairperson Sherwood called for Approval of Minutes.

Commissioner Petrone made a motion to approve the minutes of the September 6, 2012, Workshop. Commissioner Williams seconded the motion, which was approved unanimously.

Commissioner Petrone made a motion to approve the minutes of the September 6, 2012, Public Hearing. Commissioner Penilla seconded the motion, which was approved unanimously.

Commissioner Penilla made a motion to approve the minutes of the October 4, 2012, Workshop. Commissioner Petrone seconded the motion, which was approved unanimously.

Commissioner Petrone made a motion to approve the minutes of the October 4, 2012, Public Hearing. Commissioner Penilla seconded the motion, which was approved unanimously.

WITHDRAWALS AND CONTINUANCES

Chairperson Sherwood called for any withdrawals and/or continuances. There were none presented for approval.

PUBLIC HEARING ITEMS

Chairperson Sherwood called for staff's presentation.

GPA12-01: A request by Midwestern University to amend the land use designation on approximately 7 acres within the Arrowhead Ranch Specific Plan from Business Park to Education. The site is located south of the southwest corner of 57th Avenue and Utopia Road (19555 North 59th Avenue). A second request to amend the General Plan land use designation on approximately 2.5 acres from Low Density Residential, 1-2.5 du/ac to Education. The site is located at the southeast corner of 53rd Avenue and the Loop 101 Freeway (19555 North 59th Avenue). Staff Contact: Karen Stovall, Senior Planner (Cholla District).

ZON12-04: A request by Midwestern University to rezone approximately 32 acres from A-1 (Agricultural), C-2 (General Commercial), and B-P (Business Park) to PAD (Planned Area Development). The site is generally located at the southeast corner of 59th Avenue and the Loop 101 Freeway (19555 North 59th Avenue). Staff Contact: Karen Stovall, Senior Planner (Cholla District).

Ms. Karen Stovall, Senior Planner, presented GPA12-01 and ZON12-04. She said these are requests by Midwestern University for several properties totaling 32 acres and generally located south of the Loop 101 Freeway, between 51st and 59th Avenues.

She stated that in 1996, City Council approved Rezoning Application Z-95-16, which established the existing Planned Area Development zoning for the Midwestern University – Glendale Campus. The land area included in the PAD at that time was 123 acres.

Ms. Stovall explained that the two General Plan Amendment requests are to amend the land use designation on approximately seven acres within the Arrowhead Ranch Specific Plan from Business Park to Education and amend the General Plan land use designation on approximately 2.5 acres from Low Density Residential, 1-2.5 du/ac to Education.

She added that the rezoning request is to rezone 32 acres from A-1 (Agricultural), C-2 (General Commercial), and B-P (Business Park) to PAD and add these properties to the existing Midwestern University PAD. A property owned by Arizona Public Service, located south of the southeast corner of 57th Avenue and the Loop 101 Freeway is included in these 32 acres. While the zoning district on this property will change, the existing land use and operation of the substation will remain. This rezoning request would expand the campus. Future phases of the campus include a veterinary medicine school and clinic as well as a small inn.

The applicant held a neighborhood meeting in June 2012. Excluding city staff and Midwestern employees, two people attended and expressed overall support. The applicant also held a one-on-one meeting at the request of an individual representing nearby property owners. No concerns were expressed.

Ms. Stovall reported that following approval of the Citizen Participation Final Report, a homeowner near 53rd Avenue, south of Escuda Road, contacted Planning with questions about future development of the property at the northwest corner of 53rd Avenue and Escuda Road. Planning staff responded to the questions and referred the resident to the applicant for more details. The applicant contacted the

homeowner and explained that no plans for the property are in place; however, prior to development, Midwestern will notify adjacent property owners and request input regarding the proposed development. The individual was satisfied with this response.

Ms. Stovall explained that the amendment from Business Park to Education will create minimal impact to the neighborhood and is compatible with the area. It is directly adjacent to the existing Midwestern campus, which is also designated as Education, and will be an extension of this land use designation along 57th Avenue. The requested Specific Plan amendment is consistent with the General Plan, which encourages infill development. The expansion of the campus takes advantage of an undeveloped parcel with existing infrastructure.

Ms. Stovall stated that the amendment to the land use designation from Low Density Residential, 1-2.5 du/ac to Education will be compatible with the area. The location of this property better suits the Education land use. The site fronts the Loop 101 Freeway frontage road. Development under this land use will provide a transition from the freeway to the residential uses to the south. She stated while infrastructure exists adjacent to the site, the property has remained vacant since the development of the freeway. The proposed land use designation will encourage development of this property.

She continued explaining that if the proposed Specific Plan and General Plan amendments are approved, the requested PAD expansion will be consistent with the adopted plans. The majority of land being added to the existing PAD is adjacent to the university campus and will serve to expand a land use that fits well with the existing neighborhood. All development standards and design guidelines of the existing PAD, including setbacks, landscaping, and architectural themes will remain the same. The language of the proposed PAD amendment anticipates necessary off-site improvements for future campus development. All applicable city departments have reviewed the application and recommend approval, subject to one stipulation.

Ms. Stovall concluded by saying that the Planning Commission should recommend approval of GPA12-01 and ZON12-04, subject to the stipulation listed in the staff report.

Chairperson Sherwood called for any questions.

Commissioner Penilla asked about the adequacy of the notice to adjacent homeowners and interested parties. He also questioned the project narrative on page four which refers to the general plan amendment and the change in land use designation from Low Density Residential to Education. And on page five, there is a discussion that the property might be developed as a small inn for visitors and guests to the campus. He asked if that language is meant to designate a dormitory or something similar to a large hotel.

In reply, Ms. Stovall explained that the existing planned area development permits this specific wording for the associated campus services, use of a hotel. It could be open to the public; however, the applicant can discuss the intent.

Commissioner Penilla referenced the June 11, 2012, notice to property owners and interested parties, the first four paragraphs regarding change in usage. The fourth paragraph discusses in detail their

commitment to maintenance. He asked if the notice for the original PAD zoning case was adequate to the people adjacent to the area that they were going to potentially have a hotel. From this letter, anyone concerned would have no notice of a potential use of the land and the intended change.

Staff was not sure if the letter sent out for the 1995 rezoning application included information about a hotel.

Commissioner Penilla expressed concern that we adequately notify people that they might have a hotel across the street instead of a university. He felt it might make the difference for an interested property owner to attend a public meeting.

Ms. Tabitha Perry added a correction by stating that as part of the process in a rezoning case, the process stands today as it was during the time of the original PAD. The applicant had to go through the same process as they would today. Therefore, a notice was sent out. A letter does exist; however, staff does not have that letter. She said these requests are for an amendment to make additions. The hotel as a land use was permitted within the original PAD. The individuals who live in the area have the opportunity to attend the meeting and are provided more specific information that is not typically provided in a notification letter. The intent in the process is to give notification that they can be aware of and if the applicant or surrounding neighbor desire more specific information, there are several avenues in which to seek that information. For this project, the original PAD stands that a hotel is a permitted use.

Commissioner Penilla said his concern is about adequate notice of a potential hotel and traffic implications.

Ms. Perry replied that it is based on a practice and process that adequate information was provided. It is possible that the applicant has the ability to provide additional information because the letter comes from the applicant.

Commissioner Penilla responded that he understands and believes when it says in the letter and notice, similar campus buildings, that the university is an educational institution and that education is their business and not lodging.

Ms. Perry commented that based on the original PAD approval and the intent of a university, they envision down the road there was a possibility for a need for a hotel.

Chairperson Sherwood called for the applicant's presentation.

Dr. Kathleen Goepfinger, President of Northwestern University, introduced herself and said they are in the housing business and have many overnight stays. It is within the scope of a university. Dr. Goepfinger stated they envision an inn, not a big hotel. Applicants are brought on campus for interviews. An inn at the corner of 59th Avenue and Loop 101 would give access for visitors and families. With 2,800 students on campus, their families visit on a regular basis. Others visit for continuing medical education hours and housing would be helpful. She said the building would look like others on the campus and be for people coming on a temporary basis.

Commissioner Penilla asked about the language and meaning of a small inn.

Dr. Goeppinger stated that it could be a two or three story building. It may include a courtyard; it will be well landscaped.

Commissioner Penilla commented that he likes the project. His concern is about giving notice to the adjacent property owners and if that was done properly. It would be helpful to have the concern clarified that the original notice was provided to adjacent homeowners.

Dr. Goeppinger said there were several meetings and discussions on campus. When inviting people to campus for this zoning process, there were phone calls and there was no concern about the project. Commissioner Penilla said that the letter in no way would advise anyone that there would be a hotel built and that is the concern.

Commissioner Petrone stated that Midwestern University has been a great neighbor and asked if the inn was built, would it be leased to outside management at the same quality of oversight.

Dr. Goeppinger replied that they do not lease out, they manage, staff, handle maintenance and landscape and are self-contained.

Commissioner Petrone commented that Midwestern University and Dr. Goeppinger have done a wonderful job. When the project was originally approved, this was foreseeable at that time and we are now approving an extension.

Dr. Goeppinger thanked the City of Glendale for being a good neighbor to Midwestern University.

Commissioner Williams asked if the public could use the facility.

Dr. Goeppinger said it will be called The Inn at Midwestern so it doesn't indicate the public could stop; however, this would have to be discussed.

Chairperson Sherwood said that Midwestern University is a great place, a credit to the community and does well for the City of Glendale. It is exciting to see the growth planned and even with the recession, it hasn't slowed down the University.

Chairperson Sherwood opened the public hearing.

Mr. Don May, 19855 N 53rd Avenue, explained he resides south of the subject property along the 2.5 acres in phase III area, and stated that staff provided him the information about the plan. He said the applicant did contact him to discuss their proposal. He said his concerns, having moving here in 2006, are being unaware of any developments, his land value, traffic, carbon dioxide, timeframe and possible eminent domain.

Chairperson Sherwood asked if his questions were resolved after speaking with the applicant.

Mr. May replied that his concern is how he fits in financially. He agrees with the project and doesn't want to be harmed financially.

Chairperson Sherwood asked staff to comment and shared his experience with Thunderbird Hospital's major improvement and noted that properties around there did improve.

Mr. May asked about the timeline.

Ms. Stovall stated that it has been zoned A-1 since it was annexed in to the city in 1979. Since the freeway has been constructed, that property has remained undeveloped and staff believes that allowing Midwestern University to develop the property, it will encourage development. The details will be addressed at the time they submit plans to the city. When a project goes through the development process, transportation makes sure that any type of traffic devices will be installed in the area to ensure there aren't issues with circulation. The applicant has stated that she will notify the adjacent property owners before plans are submitted to the city to give citizens a chance to voice concerns and work through any issues. The city has no desire to take ownership of those properties in that area.

Commissioner Larson asked if the applicant can discuss how they plan to use the land and how that relates to residents and traffic.

Dr. Goeppinger stated that the land was planned to be a city fire station. There was a study prepared and it was found the city did not need another full fire station and only a paramedic unit was needed. Midwestern University built an entire unit of the building at no cost to the city for the paramedic truck, for housing of the paramedics and equipment so they have a self-contained area and a better response time. In return, Midwestern received the land. There are no immediate plans. She said there are plans for three additional buildings, one on main campus and two buildings on the clinic side of the campus but no plans for the land that is being discussed at this time.

Commissioner Petrone commented that anecdotally, in 1973, at ASU West, there is a large portion of property at 43rd Avenue and Thunderbird Road and sometimes there is a long gestation period for projects to become what is intended.

Commissioner Penilla questioned about the time of original submission and a traffic study.

In reply, as far as pollution concerns, those issues are not addressed by local jurisdictions, they are handled by Arizona Department of Environmental Quality.

Chairperson Sherwood asked if there were additional comments. There were none.

Commissioner Petrone made a motion to recommend approval of GPA12-01. Commissioner Larson seconded the motion, which was unanimously approved.

The Planning Commission's recommendation will be forwarded to City Council for final action.

Commissioner Penilla made a motion to recommend approval of ZON12-04 subject to the stipulation listed in the staff report. Commissioner Larson seconded the motion, which was unanimously approved.

The Planning Commission's recommendation will be forwarded to City Council for final action.

OTHER BUSINESS

Chairperson Sherwood called for Other Business. There was none.

OTHER BUSINESS FROM THE FLOOR

Chairperson Sherwood called for Other Business from the Floor. There was none.

PLANNING STAFF REPORT

Chairperson Sherwood called for the Planning Staff Report. There was none.

COMMISSION COMMENTS AND SUGGESTIONS

Chairperson Sherwood called for Commission Comments and Suggestions. There were none.

ADJOURNMENT

With no further business, Commissioner Williams made a motion to adjourn the Meeting. Commissioner Petrone seconded the motion, which was approved unanimously. The meeting adjourned at 7:55pm.

The next meeting is scheduled for December 6, 2012.

Respectfully submitted,

Diana Figueroa, Recording Secretary



Planning Staff Report

DATE: January 3, 2013 **AGENDA ITEM:**

TO: Planning Commission

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

SUBJECT: **CONDITIONAL USE PERMIT (CUP) APPLICATION CUP12-07:
JAY MARK LLC AUTOSALES – 5610 NORTHWEST GRAND
AVENUE**

REQUEST: CUP approval to allow automobile sales in the C-2 (General Commercial) zoning district.

APPLICANT/OWNER: Jay Mark LLC / Robert Knox.

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 CUP12-07 subject to the stipulations contained in the staff report.

PROPOSED MOTION: Move to approve CUP12-07 subject to the stipulations contained in the staff report.

SUMMARY: The applicant is requesting automobile sales on an existing paved lot. There is an existing sales office where transactions will be conducted. The site will be updated with new landscaping and a perimeter fence that will be added along 56th Avenue.

COMMISSION ACTION: Commissioner _____ made a motion to _____ CUP12-07 subject to the stipulations 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 56th and Grand avenues and is one acre in size.

History:

This site has been a storage lot for vehicles and trucks being repaired by the adjacent property owner. The adjacent property is an automotive repair shop that has been in operation for over 20 years.

Project Details:

Jay Mark LLC is proposing to sell automobiles at this location. They will be displaying vehicles for sale on an existing paved surface. There will be a maximum of 30 vehicles for sale at any time. Transactions of vehicle sales will be conducted within the 1,393 square foot existing building on the property. The building is shared with an existing automotive shop that is located northwest of this proposed use. There will be a new landscaping and a perimeter fence added along 56th Avenue in front of the property. Business hours will be Monday through Friday from 9am to 5pm, and Saturdays from 10am to 5pm.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On September 10, 2012, the applicant mailed 92 notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. Planning did not receive any response regarding the request. 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 December 13, 2012. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on December 14, 2012. The property was posted on December 14, 2012.

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.

Analysis:

- The proposed use is consistent with the General Plan designation of GC. The C-2 zoning district permits automobile sales with CUP approval.
- This property is located within a commercial corridor that has two other automobile dealerships that is located southeast of this property along Grand Avenue. The proposal will not have a detrimental effect on the surrounding area or the city. Jay Mark LLC will operate Monday through Friday 9am to 5pm and Saturdays from 10am to 5pm.
- The existing site is adequate in size and shape for the proposed use. There will be a maximum of 30 vehicles on display for sale with additional parking spaces to be designated for the customers and employees.
- Adequate access is provided on 56th Avenue. Vehicles will be able to maneuver throughout the site without interfering with the vehicles on display. Vehicles for sale will be located in designated parking spaces on site.
- All applicable city departments have reviewed the application and recommend approval of the application.
- Rooftop mechanical equipment on the sales building should be screened from public view.
- Additional time is needed for the applicant to complete landscape improvements as the Arizona Department of Transportation is currently making street improvements on Grand Avenue.

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 November 26, 2012 and the project narrative, dated November 1, 2012.
2. All existing roof mounted mechanical equipment shall be screened from public view.
3. Landscaping shall be installed no later than September 15, 2013.

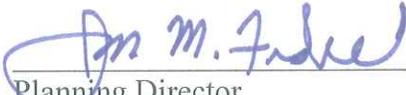
ATTACHMENTS:

1. Required Findings for Conditional Use Permits.
2. Applicant's Narrative, date stamped November 1, 2012.
3. Site Plan and Landscape Plan, date stamped November 26, 2012.
4. Citizen Participation Final Report (without mailing labels), approved November 26, 2012.
5. Vicinity Zoning Map.
6. Aerial Photograph, dated November 2008.

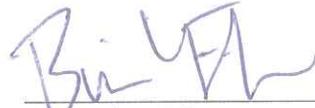
PROJECT MANAGER:

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.

APPLICANT'S NARRATIVE

November 1, 2012

CITIZEN PARTICIPATION PLAN

Jay Mark, LLC
5610 N.W. Grand Ave
Glendale, AZ. 85388
C U P 12-07

Jay Mark, LLC is proposing an automobile sales lot at the intersection of 56th Ave. & Grand. This business will consist of the selling of Automobiles. It is adjacent to Isaac E Imes Elementary Magnet School, Paul's Automotive Repair, Some Residential Properties and The RR Evans Railroad. This business will offer approximately 30 vehicles for sale with financing available for all; the total square footage including, the building is approximately 34,000 square feet. Landscaping will be installed along 56th Ave. in addition to a new perimeter fence.

Hours of operation are:

Monday - Friday 9am to 5pm

Saturday – 10am to 5pm

All Activity will be under normal business hours, the neighborhood should not see any additional traffic due to the business proposed. The building is the existing building that has been in existence for the last 30 plus years. The existing property has been in automotive use since its existence, the neighborhood will not see any changes that will be any different. The landscaping has been requested by the City Of Glendale and will be installed per their ok, with trees and decomposed granite along with a sidewalk. There will not be any construction to the lot that will be a disruption to anyone. There will be some construction being done by A.D.O.T. along Grand Ave. that will help improve the traffic flow in and out of the area. We have laid out a design of the lot so that it will not hinder the flow of traffic and has been approved by the City to be friendly with all.

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

- A. The proposed use consistent with the policies, objectives and land use map of the Glendale General Plan and the purpose of the zoning district in which is located.

The proposed use is consistent with the land use map of the Glendale General plan as JAY MARK, LLC is in the designation of the land use. While the site is Zoned C2, it is consistent with allowable uses pursuant to a conditional use permit within the General Commercial Zone. (Section 5.754 allows for automotive truck/car/ trailer sales facility where vehicles are stored on site).

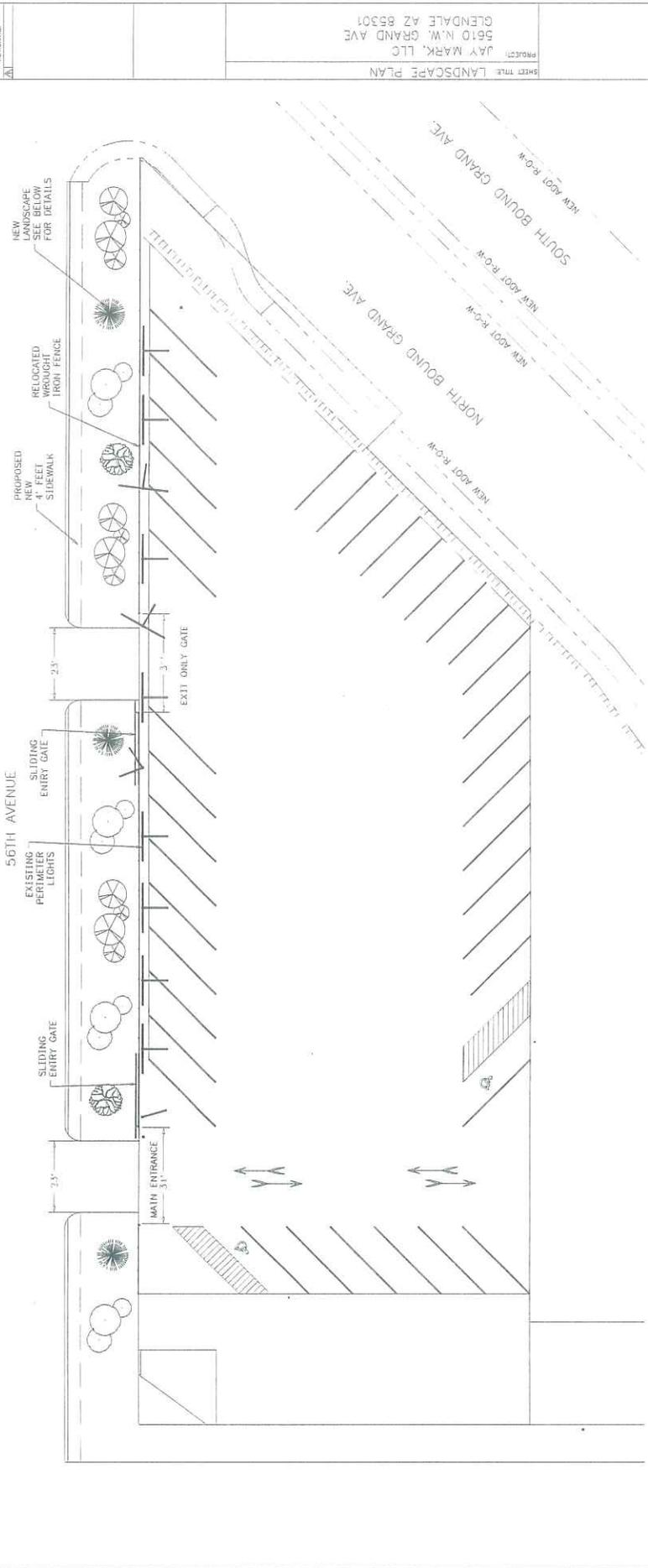
B. The proposed use will not be material detrimental to the health, safety or general welfare of persons residing or working within the neighborhood of the proposed use, or have an adverse effect on the property, adjacent properties and the surrounding neighborhood or the city when consideration is given to the character and size of the use and business hours.

C. The proposed use is adequate in size and shape to accommodate the intended use of selling automobiles and that all requirements for the zone district, including but not limited to setbacks, walls, landscaping is met.

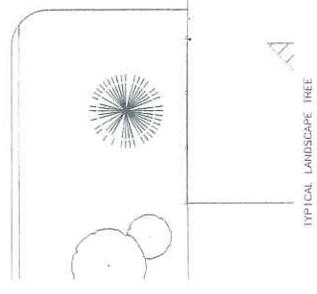
The proposed use is in compliance with code requirements. The total number of parking spaces for the size of property exceeds the amount required by code for a sales location.

D. Stipulations have been incorporated into the approval of the use permit to ensure that any and all requirements have been met.

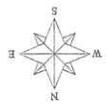
E. All Mechanical Equipment will be screened from Public view.



1 LANDSCAPE PLAN
S-4 SCALE: 1/16" = 1'-0"



NOTES:
ALL LANDSCAPE TO BE PLANTED ALONG 56TH AVENUE.
LANDSCAPE TO CONSIST OF VARIOUS BUSHES AND SMALL SLOW GROWING TREES.
AREA TO BE COVERED WITH PLASTIC UNDERLAY MATERIAL AND DECORATIVE ROCK MINIMUM 4" IN DEPTH.
SPRINKLER SYSTEM TO BE SUFFICIENT TO PROVIDE ENOUGH WATER TO SUSTAIN ALL VEGETATION.



NOV 26 2012

S-4

REVISIONS:
A1
SHEET TITLE: LANDSCAPE PLAN
PROJECT: JAY MARK, LLC
5610 N.W. GRAND AVE
GLENDALE AZ 85301

6489 W EMILE ZOLA
PHOENIX, AZ 85031
(602) 799-0657
MARTINS
F PROFESSIONAL
S CAD
SERVICES
PROJECT: JAY MARK, LLC
DATE: NOV 26 2012
DRAWN: R. MARRIN
CHECKED: M. ALLEN
SCALE: AS SHOWN
SHEET: S-4

Jay Mark, LLC

C U P 12-07

Citizen Participation

Final Report

5610 N. W. Grand Ave.

Glendale, Arizona 85301

APPROVED

NOV 26 2012

City of Glendale
Planning Department

Arizjo Cordus

October 8, 2012

CITIZEN PARTICIPATION PLAN

Jay Mark, LLC
5610 N.W. Grand Ave
Glendale, AZ. 85388

Jay Mark, LLC is proposing an automobile sales lot at the intersection of 56th Ave. & Grand. This business will consist of the selling of Automobiles. It is adjacent to Isaac E Imes Elementary Magnet School, Paul's Automotive Repair, Some Residential Properties and The RR Evans Railroad. This business will offer approximately 30 vehicles for sale with financing available for all; the total sq. footage including, the building is approximately 34,000 square feet. Landscaping will be installed along 56th Ave. in addition to a new fence.

Hours of operation are:

Monday - Friday 9am to 5pm

Saturday – 10am to 5pm

All Activity will be under normal business hours, the neighborhood should not see any additional traffic due to the business proposed. The building is the existing building that has been in existence for the last 30 plus years. The existing property has been in automotive use since its existence, the neighborhood will not see any changes that will be any different. The landscaping has been requested by the City Of Glendale and will be installed per their ok, with some trees and some gravel along with a sidewalk. There will not be any construction to the lot that will be a disruption to anyone. There will be some construction being done by A.D.O.T. along Grand Ave. that will help improve the traffic flow in and out of the area. We have laid out a design of the lot so that it will not hinder the flow of traffic and has been approved by the City to be friendly with all.

Public notification technique for this project was done according to the following:

1. **Mailed letters to all adjacent properties with dates of September 10, 2012 and all comments and suggestions asked to be sent to bestofphx1@yahoo.com or contact the City of Glendale Planning Dept. by October 1st, 2012. We have no responses from anyone at this time.**

October 8, 2012

Page 2

Attached are outlined maps of the affected area, along with lists of those that have been notified. The map shows 500ft notification area required as well as list of interested Parties.

We have also included in our notification the Glendale Homeowners Associations and registered Neighborhood Groups such as: Sonorita Neighborhood Association, The Heart of Glendale, and The City of Glendale Notification List Such as the Mayor's Office, The City Council and The Planning Department.

We feel this proposal will be an asset to the city and to the citizens as well as the neighborhood. We will be creating revenue for the city, improving the neighborhood, as well as offering vehicles for sale that will be of interest and will be friendly to the citizens. We have addresses the work situation with A.D.O.T. to make sure that we have accommodated the work in progress so that improvements can be made to the highway that is set to happen. The project that is planned by A.D.O.T. has been our only existing work situation that has any effect on the area.

We feel that everyone will be happy with our proposal and our residence in Glendale if there are any suggestions for improvements or changes we will be happy to hear them.

Date 9/10/2012

Jay Mark, LLC
5610 N.W. Grand Ave
Glendale, AZ 85301
Bestofphx1@yahoo.com

Conditional Use Permit:

Dear Neighbor:

This letter is to inform you that we are applying for a Conditional Use Permit application with the City Of Glendale for new and used automobile sales in the C-2 (General Commercial) zoning district. The property is located at 5610 N.W. Grand Ave in the Ocotillo District.

We Jay Mark, LLC propose the addition of a Vehicle Sales Lot at 5610 N.W. Grand Ave. The intended use is to sell vehicles and offer financing that will benefit the citizens of Glendale. Our business will benefit Glendale by generating sales tax and improving the current space and surrounding area. We will offer approximately 30 vehicles for sale in our inventory on a regular basis.

The business hours will be Monday through Friday 9 am to 5 pm Saturday 10 am to 5 pm and closed on Sundays.

We will be installing new landscaping along 56th Ave., replacing the current chain link fence with a new Wrought Iron fencing along with ADOT improvements along Grand Ave.

The lot size is approx. 34,377 sq. feet, and the square footage is 1393 sq. ft. The current zoning is C- 2 (General Commercial). The proposed zoning will be C-2 with a General Use Permit for Auto Sales.

The surrounding land consists of commercial, some residential (located on Ocotillo) and an Elementary School.

Adjacent properties are:

Isaac E Imes Elementary Magnet School

Paul's Automotive Repair

Residential Properties

Railroad

I have included a site plan in this letter for your review. Please provide any comments to my office by October 1st, 2012

Please write, email, or call me at the contact information above. You may also contact Remigio Cordero with the City Of Glendale Planning Division at 623-930-2597.

Sincerely,

John Nickeson Jr

Mark Giaradina

JAYMARK, LLC



CITIZEN PARTICIPATION NEIGHBORHOOD NOTIFICATION

A NOTIFICATION LETTER IS RECOMMENDED (see sample on page 3)

Draft a letter outlining your proposed project. Submit the letter to your planner for approval. **DO NOT MAIL** out your letter until you have received approval.

Upon approval of your notification letter, send to the following:

- a) **Property owners located within the notification area outlined on the attached Notification Area Map** (see page 4). When creating mailing labels for areas outlined on the map, use the format shown on the attached "Sample Property Owner List with Parcel Number and Sample Parcel Map" (see page 5). Property owner information can be obtained from the County Assessor's Office, the County Assessor's website (<http://www.maricopa.gov/Assessor/GIS/Map.html>), or a Title Company.

- b) **Glendale Homeowners Associations and Registered Neighborhood Groups:**

Sonorita Neighborhood Association

Virginia Gonzalez
8025 North 7th Avenue
Phoenix, AZ 85021

Linda Verdugo
6609 North 58th Drive
Glendale, AZ 85301

The Heart of Glendale

Mickey D. Nunez
6710 North 53rd Drive
Glendale, AZ 85301

John B. Torres
5121 West Ocotillo
Glendale, AZ 85301

Joe Enriquez
P O Box 2
Glendale, AZ 85311

- c) **Interested Parties List:**

Notify individuals on the Ocotillo District and City Wide interested parties list. **This list will be provided to you by your planner upon approval of your project notification letter.**

- d) **Additional Notification List:**

City of Glendale Mayor's Office
Mayor Scruggs
5850 W. Glendale Avenue
Glendale, AZ 85301

Glendale City Council Office
Council member Alvarez
5850 W. Glendale Avenue
Glendale, AZ 85301

Remigio Cordero, Planner
Planning Division
5850 W. Glendale Ave., Suite 212
Glendale, AZ 85301

Diana Figueroa, Senior Secretary
Planning Division
5850 W. Glendale Ave., Suite 212
Glendale, AZ 85301

An Affidavit of Mailing must be submitted upon approval of your letter (see page 6).

**INTERESTED PARTIES
NOTIFICATION LIST FOR
PROPOSED DEVELOPMENT -
CITY WIDE & OCOTILLO**

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

RON PROTHERO
6316 W KEIM DR
GLENDALE AZ 85301

KAREN ABORNE
7318 W GRIFFIN AVE
GLENDALE AZ 85303

HARRIET AGIUS
7132 W GROVERS AVE
GLENDALE AZ 85308

LAURA RAKOCZYNSKI
9403 N 50TH DR
GLENDALE AZ 85302

DOUG ATTIG
6066 N 84TH DR
GLENDALE AZ 85305

A.I. BABINEAU
4815 W COCHISE DR
GLENDALE AZ 85302

MARY SMITH
8968 W CITRUS WAY
GLENDALE AZ 89305

BOB BOHART
5603 W BELMONT
GLENDALE AZ 85301

JOYCE CLARK
8628 W CAVALIER DR
GLENDALE AZ 85305

TOM TRAW
6024 N 83RD AVE
GLENDALE AZ 85303

ALMON DAVIS
6005 W MONTE CRISTO AVE
GLENDALE AZ 85306

MIKE DEPINTO
6507 W SHAW BUTTE DR
GLENDALE AZ 85304-2414

DANIEL DREW
4502 W MORTEN AVE
GLENDALE AZ 85301

DANIEL STREYLE
VERMILION IDG
3131 E CAMELBACK RD
STE 210
PHOENIX AZ 85016

TRISH EDWARDS
8626 N 53RD AVE
GLENDALE AZ 85302

JUDY FARR
6527 W HILL LN
GLENDALE AZ 85310

BARBARA FENNEMA
18033 N 83RD DR
PEORIA AZ 85382

SUSAN FERRELL
4646 W KRALL ST
GLENDALE AZ 85301

DON TATE
6735 W ROBIN LN
GLENDALE AZ 85310

B GARLAND
5012 N 64TH DR
GLENDALE AZ 85301

MARK GARRATT
7605 N 72ND AVE
GLENDALE AZ 85303

DENNIS GERHARD
10613 N 48TH AVE
GLENDALE AZ 85304

DIANE HAND
5349 W ACAPULCO
GLENDALE AZ 85306

MICHAEL SOCACIU
8574 W BERRIDGE LN
GLENDALE AZ 85305

JOHN AND SUE JONES
18658 N 78TH DR
GLENDALE AZ 85308

ARLINE YZQUIERDO
8525 N 52ND DR
GLENDALE AZ 85302

DEBRA KIST
5643 W MOUNTAIN VIEW RD
GLENDALE AZ 85302

JOHN KOLODZIEJ
6258 N 88TH LN
GLENDALE AZ 85308

GEORGIA KNOX
17214 N 66TH TER
GLENDALE AZ 85308

MEL SMITH
PO BOX 12572
GLENDALE AZ 85318

TERRY LANE
6103 N 87TH LN
GLENDALE AZ 85305-2452

KATHLEEN LEWIS
7456 W AURORA DR
GLENDALE AZ 85308

MICKEY LUND
5708 W ROYAL PALM RD
GLENDALE AZ 85302

CHERI MCCLOSKEY
5336 W BECK LN
GLENDALE AZ 85306

CARRIE AND MITCH MEEK
6563 W PIUTE AVE
GLENDALE AZ 85308

DAVE TRISH
6773 W VIA MONTOYA DR
GLENDALE AZ 85310

BILL NORGRN
8608 W CAVALIER
GLENDALE AZ 85305

LAURA RAKOCZYNSKI
9403 N 50TH DR
GLENDALE AZ 85302

PATTY WYRICK
9626 N 58TH DR
GLENDALE AZ 85302

VALLEY PARTNERSHIP
5110 N 44TH ST
SUITE 200
PHOENIX AZ 85019

MAGI SHRECK
10673 W RANCHO DR
GLENDALE AZ 85307

THE ARIZONA REPUBLIC
17235 N 75TH AVE
STE A 100
GLENDALE AZ 85308

WILLIAM RAY
7305 W ANGELA DR
GLENDALE AZ 85308

RICHARD SCHWARTZ
8232 W MONTEBELLO AVE
GLENDALE AZ 85303

DIANA M SEGER
6132 W TOWNLEY AVE
GLENDALE AZ 85302

JEFF BLAKE
19210 NORTH 70TH AVENUE
GLENDALE AZ 85308

GARY SHERWOOD
5928 WEST PERSHING AVE
GLENDALE AZ 85304-1123

SANDRA MENDEZ
5412 W NORTHVIEW AVE
GLENDALE AZ 85301

Santos Rodriquez
6709 N 55th Dr.
146-02-172
Glendale, Az 85301

Ramona Rodriguez
6713 N 56th Ave
146-02-149
Glendale, Az 85301

Merin Enterprises Inc
6729 N 57th Ave
146-02-069B/C
Glendale, Az 85301

Luisa Maria Zuniga
6705 N 55th Dr.
146-02-171
Glendale, Az 85301

Humberto/Olivia Valdez
13712 N 79th Ln
146-02-147/148
Peoria, Az 85381

Gordon Rames/Randolph Trust
2222 E Belmont Ave
146-02-066
Phoenix, Az 85020

Jose L Aridid
6701 N 55th Dr.
146-02-170
Glendale, Az 85301

JDT Enterprises Inc
3815 N 197th Ave
146-02-146
Buckeye, Az 85396

David/Mary Ortega
13825 N 50th St
146-02-064/5
Scottsdale, Az 85254

Lucas/Grace Resendes
6726 N 55th Dr.
146-02-139
Glendale, Az 85301

Santiago/Albertina Aro
9118 W Missouri
146-02-055
Glendale, Az 85305

Joseph/Charlotte Ortega
30417 W Portland
146-02-063
Buckeye, Az 85396

Yolanda Hernandez
P.O. Box 965
146-02-140
Glendale, Az 85311

Martin Santa Cruz Sainz
7325 W Cheryl Dr.
146-02-056
Peoria, Az 85345

Steven Badine
6106 W Hearn Rd
146-02-062D/E
Glendale, Az 85306

Mary Bowman/Rosa Lee
6718 N 55th Dr.
146-02-141
Glendale, Az 85301

Salley Yabarra Perez
5602 W Lamar Rd
146-02-057
Glendale, Az 85301

**Carlson Brothers Properties
LLC**
505 Eighth St
146-02-080/81/82
Huntington Beach, Ca 92648

Seferino Valdivia
6714 N 55th Dr.
146-02-142
Glendale, Az 85301

Randolph/Donna Light
3537 W Alice Ave
146-02-058
Phoenix, Az 85051

**Albert Carlyle Tellis/Jacquelyn
Arcola**
2960 S Oldstate Hwy 279
146-02-083A/084A
Cottonwood, Az 86326

Daniel Delgado Jr
6513 N 42nd Ave
146-02-143
Phoenix, Az 85019

Mario/Milagro DeJesus
6609 N 53th Dr.
146-02-059
Glendale, Az 85301

Atchison Topeka/Santa Fe
1 Santa Fe Plaza 5200 E Sheila St
146-04-021
Los Angeles, Ca 90040

Margarito Salinas
6702 N 55th Dr.
146-02-144/145
Glendale, Az 85301

**Jose Ronquillo/Vicotoria
Espinoza**
6706 N 56th Ave
146-02-060
Glendale, Az 85301

Maryland Avenue LLC
P.O. Box 96
146-04-019
Glendale Az 85311

Robert/Tamara Karl
6725 N 56th Ave
146-02-150B/C/D/154/053/054
Glendale, Az 85301

David/Pricilla Moss
3157 Federal Ave
146-02-061
Los Angeles, Ca 90064

RR/RR Evans Co
306 S Country Club
146-03-085A
Mesa, Az 85211

School District No 40

6625 N 56th Ave
146-04-011B
Glendale, Az 85301

Robert/Judith Knox

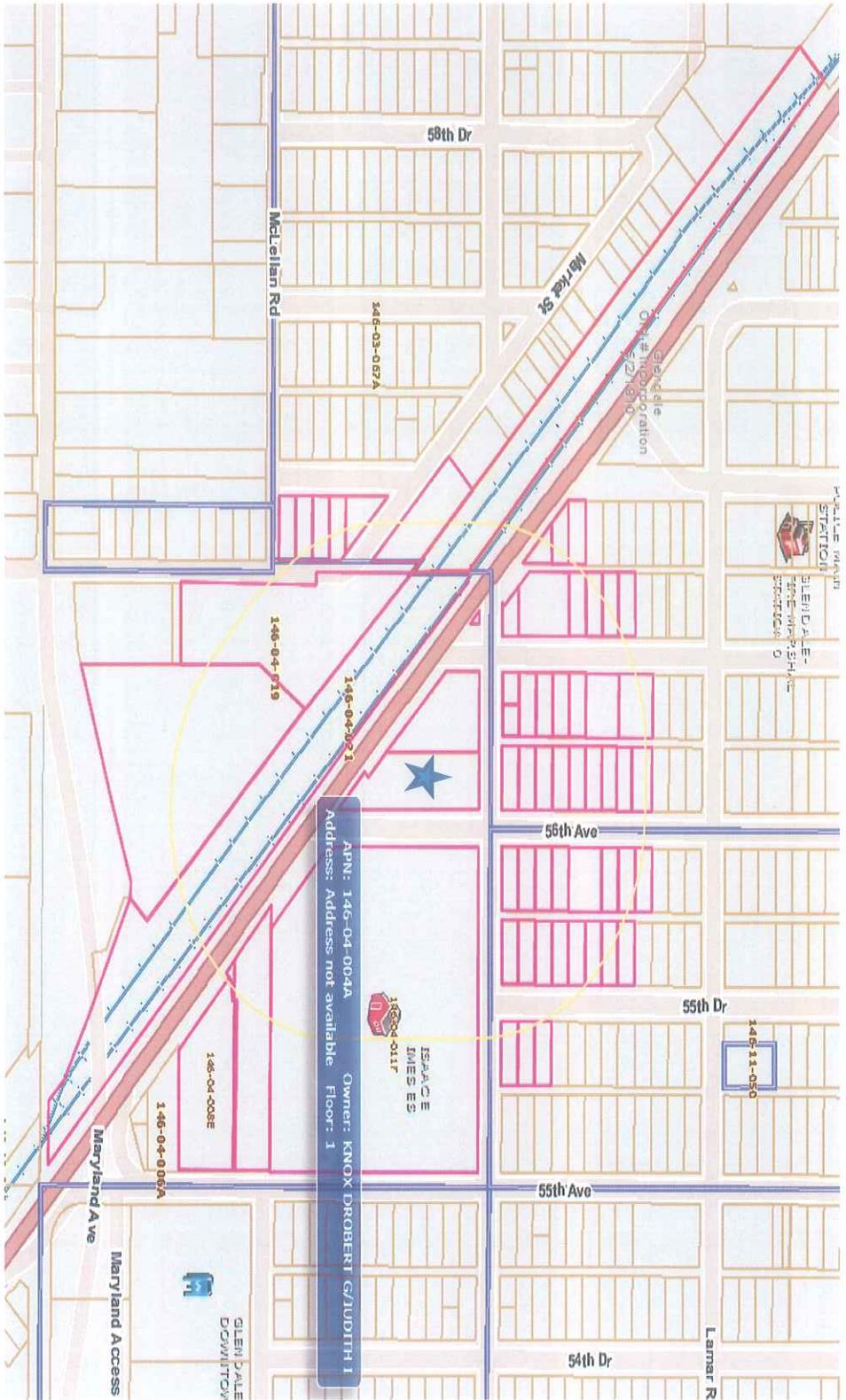
4146 W Sandra Terrace
146-04-001A
Phoenix, Az 85023

Properties LLC

5610 W Maryland Ave
146-04-017D/E
Glendale, Az 85301

Ronald/Jennifer Beveridge

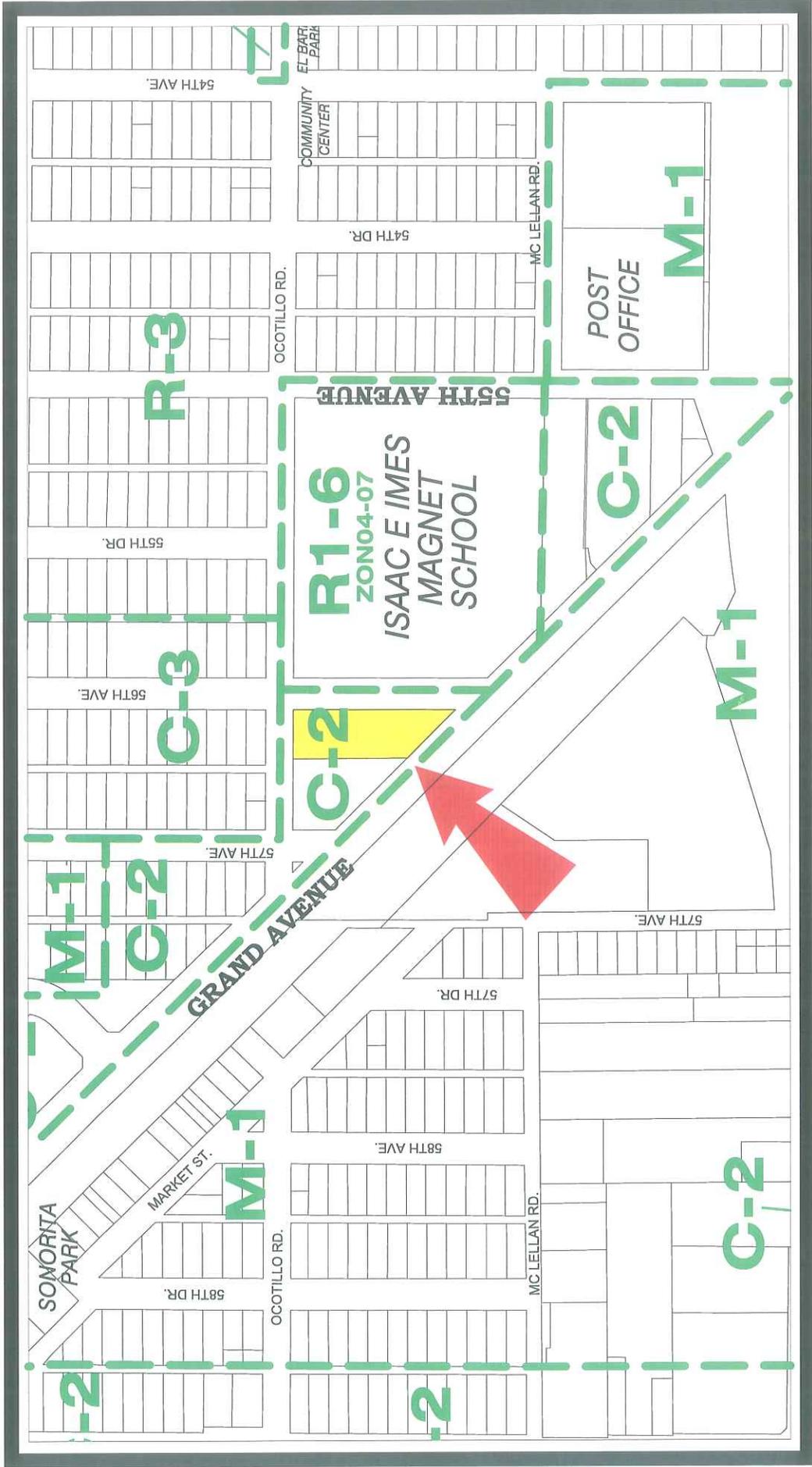
3719 E Sequoia Trl
146-03-092
Phoenix, Az 85044



Jay Mark, LLC – APN 146-04-004A is identified with a blue star.

500 FT Boundary is highlighted with a yellow circle.

Adjacent properties notified are highlighted in magenta.



CASE NUMBER
CUP12-07

REQUEST

**CONDITIONAL USE PERMIT FOR
 AUTOMOBILE SALES IN THE C-2
 (GENERAL COMMERCIAL) ZONING
 DISTRICT.**



LOCATION
5610 NW GRAND AVENUE



Case Number
CUP12-07



Aerial Date: November, 2008