

PLANNING AND DEVELOPMENT SERVICES REPORT
CONDITIONAL USE PERMIT

PUBLIC HEARING
PZ-20-00071-05

DATE: **May 5, 2021**
MEETING DATE: **May 26, 2021**
REPORT BY: **Tiffany Antol, AICP**

REQUEST:

A Conditional Use Permit request from Reich Brothers, LLC, to construct approximately 77,000 square feet of general retail, restaurant, and general services in the Light Industrial (LI) Zone, located at 1600 E. Butler Avenue.

STAFF RECOMMENDATION:

In accordance with the findings presented in this report, staff recommends approval of PZ-20-00071-05 with conditions.

PRESENT LAND USE:

This location is the former site of SCA Tissue which closed in 2017. The existing buildings on site have been vacant since SCA Tissue disbanded their operation.

PROPOSED LAND USE:

The applicant proposes to construct approximately 77,000 square feet of building, which can accommodate a variety of general commercial/retail, restaurant, and/or general service uses on 7.71 acres of a 12.70-acre development site. The site plan for this application shows a 58,100 square-foot anchor building planned at the southeast corner and another 18,240 square-foot multi-tenant building at the southwest corner.

NEIGHBORHOOD DEVELOPMENT:

North: BNSF Railway; Route 66
East: City of Flagstaff Municipal Recycling Facility, Light Industrial (LI) Zone
South: Developed parcels, Light Industrial (LI) and Light Industrial Open (LIO) Zone
West: Warehouse, Light Industrial (LI) Zone

I. Project Introduction

A. Background/Introduction

Section 10-40.30.050.B of the Flagstaff Zoning Code (Page 40.30-21), *Allowed Uses*, identifies “General Retail Business, Restaurant or Café, and General Services” as allowed land uses in the Light Industrial (LI) Zone subject to the approval of a Conditional Use Permit (CUP) by the Planning Commission. On November 16, 2020, the Inter-Division Staff (IDS) approved a Development Master Plan which was presented to the Planning & Zoning Commission on December 9, 2020. IDS approved a site plan application for the proposed building on this site on May 3, 2021. A copy of the Site Plan Approval Letter and Conditions of Approval are attached to this report.

The applicant proposes to redevelop the site as two development units in three phases. The applicant proposes a master-planned commercial shopping center on the south approximate 7.71 acres adjacent to Butler Avenue, and an industrial/business park on the north 4.99 acres adjacent to the existing BNSF rail line and spur.

The applicant is proposing the south approximate 7.71 acres to accommodate a variety of commercial/retail, employment, restaurant, and/or services uses. Specifically, an approximately 58,100 square-foot anchor building is planned at the southeast corner of the site. This building is intended to accommodate Kohl's, which intends on relocating from its current location at 500 W. Forest Meadows Street. A freestanding approximately 18,240 square-foot multi-tenant building is planned at the southwest corner of the site capable of supporting commercial/retail, restaurant, and/or service uses. Both the anchor and multi-tenant buildings are positioned along the Butler Avenue frontage. The southernmost suite within the multi-tenant building can accommodate a restaurant or coffee shop with outdoor dining. Associated site improvements, such as landscaping, parking, lighting, and infrastructure will also be provided. Additionally, redevelopment of the south 7.71 acres will include the removal of the BNSF rail spur near the southeast corner of the site.

The applicant is proposing to maintain the north approximate 4.99 acres for a variety of light industrial and/or business park uses, which can have access to the BNSF rail line and spur along the north property line. A backwards "L" shaped approximately 19,200 square-foot building is planned at the northwest corner of the Property. An "L" shaped approximately 30,000 square-foot building is planned at the northeast corner of the Property. Both buildings are oriented around a motor court to screen truck maneuvering, loading doors, and/or bays, etc., from the planned commercial/retail, employment, restaurant, and/or service uses to the south. Building entrances are oriented toward a centrally located surface parking lot between the two buildings, which will include landscaping and lighting. Associated site improvements, such as landscaping, parking, lighting, and infrastructure, will also be provided. The site plan also includes an east-west pedestrian-oriented public civic space and landscape buffer between the two development units to serve as a land use transition between the development units.

II. Required Findings

The Planning Commission may approve the Conditional Use Permit only after making a finding that:

A. Finding #1:

The conditional use is consistent with the objectives of the Zoning Code and the purpose of the Zone in which the site is located.

"The Light Industrial (LI) zone applies to areas of the City appropriate for clean and quiet industries in proximity to commercial development, including manufacturing, warehousing, and related uses with limited and screened exterior storage. The LI zone establishes a transitional area between commercial and heavy industrial areas; while at the same time it is applied to areas of the City as a freestanding industrial zone."

The Light Industrial (LI) Zone allows general retail, restaurant or café, and general service uses with the granting of a Conditional Use Permit. The primary reasons for the Conditional Use Permit are to protect the uses that are allowed by right in the Light Industrial Zone which may be incompatible with general office uses, and industrially used buildings are not required to incorporate architectural design standards as would be required for retail and general service buildings.

B. Finding #2

That granting the conditional use will not be detrimental to the public health, safety, or welfare.

If the proposed project is developed in accordance with City codes, standards, and requirements, the project should not be detrimental to the public health, safety, or welfare.

C. Finding #3

The characteristics of the conditional use as proposed, and as it may be conditioned, are reasonably compatible with the types of uses permitted in the surrounding area. The Conditional Use Permit shall be issued only when the Planning Commission finds that the Applicant has considered and adequately addressed the following to ensure that the proposed use will be compatible with the surrounding area (Flagstaff Zoning Code Section 10-20.40.050.E.3):

- Access, traffic, and pedestrian, bicycle, and vehicular circulation;
- Adequacy of site and open space provisions, including resource protection standards, where applicable;
- Noise, light, visual, and other pollutants;
- Proposed style and siting of structure(s), and relationship to the surrounding neighborhood;
- Landscaping and screening provisions, including additional landscaping in excess of otherwise applicable minimum requirements;
- Impact on public utilities;
- Signage and outdoor lighting;
- Dedication and development of streets adjoining the property; and
- Impacts on historical, prehistoric, or natural resources.

1. Access and Traffic; Pedestrian, Bicycle, and Vehicular Circulation

Primary access to the Commercial Development Unit is planned via a new driveway located at the approximate mid-point along Butler Avenue. A westbound (right turn) deceleration lane is planned at this driveway to further improve safety and turning efficiencies along Butler Avenue. Secondary access to the Commercial Development is planned at Babbitt Drive. It is anticipated that this new point of access will be improved from one northbound thru lane, one southbound left turn lane, and one southbound thru lane. The dual southbound left turn lanes are anticipated to provide 100 feet of queueing each. An easement will be required from the City of Flagstaff for this access. A third point of access off Butler Avenue is provided via an existing driveway at the southwest corner of the property.

Project development includes a new sidewalk along Butler Avenue with parkway. Additionally, a meandering pedestrian pathway is provided through the civic space area at the front of the property. The on-site pedestrian/bicycle network is further improved with pathways that extend between the two buildings.

Parking is provided for the project using the shopping center parking requirements (shared parking with restaurant) which requires 1 parking space per 250 square feet of building. A Total of 305 spaces are required for the proposed development. The development can exceed the required parking by 5% which allows for a total of 320 parking spaces on site. A total of sixteen bicycle parking spaces are required and provided on site.

2. Adequacy of Site/Open Space/Resource Provisions

The Applicant is proposing to construct approximately 77,000 square feet of new retail/restaurant/general services building on 7.71 acres of a 12.70-acre site. For developments with over 20,000 square feet, civic space is required to be provided at a rate of 5% of the gross development site. A total of 27,668.77 square feet are provided as civic space along the Butler Avenue frontage. This space includes pedestrian pathways and seating areas. Both buildings are oriented to direct pedestrian and bicycle movement from Butler to the businesses on site through this civic space area. The site plan shows the proposed building complying with all the required development standards of the Light Industrial (LI) Zone including setbacks,

building height, and Floor Area Ratio (FAR). The site provides the required number of parking spaces for the proposed uses on site. Dedicated open space is not required in commercial and industrial developments and is instead accomplished through compliance with landscaping standards. The subject property is not located in the Resource Protection Overlay.

3. Noise, Light, Visual, and Other Pollutants

It is not anticipated that the proposed off use will create any noise, visual, or other pollutants into the area. All exterior lighting will be required to comply with the City of Flagstaff's strict outdoor lighting requirements which supports and maintains our designation as an International Dark Sky City. The proposed uses are less intensive than the former industrial use on this site.

4. Style and Siting of Structure(s) and Relationship to Surrounding Neighborhood

The proposed buildings have been designed in accordance with the Site Planning Design Standards as identified in the Zoning Code. This includes a building forward design with parking areas located to the side and rear of the building. There is a large civic space area provided along the Butler frontage that will include a pedestrian pathway along with landscaping and benches. Pathways are provided that extend through this civic space from the Butler Avenue sidewalk to the entrances of the anchor and multi-tenant.

There is a large parking field in between the two commercial buildings proposed. This parking area is screened from Butler with the use of a low wall. The parking field is divided into components each less than one acre in size to comply with standards found in the Zoning Code. The areas are divided with the use of sidewalks and landscaping to make the parking field more pedestrian/bicycle friendly. Alternative pavement materials are used to differentiate the space for vehicles and pedestrians/bicyclists on site. The large anchor building is proposed to be constructed of pre-cast concrete panels. Both buildings are designed to meet the Architectural Design Standards within the Zoning Code which dictate primary and secondary materials, colors, building massing, and scale.

The current Butler Avenue streetscape is a mixture of pre-engineered structures, such as Ken's Auto Repair and Emergency Veterinary Clinic, and retail buildings, such as Taco Bell and Sonic to the south along Butler Avenue. The planned multi-tenant building relates to the size of these structures in both height and proportion. The Butler Avenue streetscape also includes larger retail or industrial type structures, such as HomCo Lumber & Hardware, Sam's Club, Northland Motor Sports Facility, and the City recycling facility.

5. Landscaping and Screening

The site is proposed to be landscaped in accordance with the requirements of the Zoning Code; see the attached landscaping plan. A screen wall is located along the back of the civic space/landscape area at the front of the parking to screen the parking areas that would be visible from the adjacent right-of-way.

6. Impact on Public Utilities

Only new service lines are required to serve the proposed development with water and sewer. Water Services did identify concerns with an existing water transmission main with the location of the new driveway. The applicant will need to make special provisions to deal with this transmission main during construction. This particular issue will be dealt with during civil plan review for the project.

7. Signage and Outdoor Lighting

The attached elevations show proposed building mounted signage for the anchor building. No signage is shown for the multi-tenant building; neither is freestanding signage identified for the site. Because there are multiple uses planned for the site, staff will require a comprehensive sign plan for the property. This sign plan

will be approved through the required sign permit. Preliminary outdoor lighting information has been provided as part of this application. Neither signage nor outdoor lighting are reviewed in conjunction with the site plan. The details for both are reviewed and approved in conjunction with the required building permit application, each requiring its own application (Sign Permit, Outdoor Lighting Permit). Any new signage or lighting will have to comply with the relevant Zoning Code requirements.

8. Dedication and Development of Streets

It is anticipated that additional right-of-way and/or other dedications will be made along the Butler Avenue frontage to accommodate the westbound (right turn) deceleration lane, as well as a future Mountain Line bus stop. The applicant is proposing to improve Babbitt Drive to a signalized one northbound thru lane, two southbound left turn lanes, and one southbound thru lane. The applicants will need an access easement from the City of Flagstaff to ensure appropriate access to the development site from this intersection. The Traffic Impact Analysis is not yet finalized but it is anticipated that no mitigation will be required other than the improvement identified herein.

9. Impacts on Resources

This subject property is not located within the Resource Protection Overlay. A natural resource protection plan was not required or reviewed in conjunction with the site plan for this development. The buildings on site are over 50 years in age and were assessed for their historic value through a Cultural Resource Study reviewed and approved by the Heritage Preservation Office and the Heritage Preservation Commission. The buildings were found to have historic significance and mitigation was required for demolition to be approved.

Conditions of approval will only be imposed if they are necessary to ensure the intent and purpose of the Zoning Code are met; to ensure compatible and complementary development of the property; and to ensure the provision of appropriate off-site improvements will be fulfilled.

III. Citizen Participation

The applicant held the required neighborhood meeting to discuss the proposed Conditional Use Permit application on April 12, 2021, using the Zoom platform. The applicant posted a sign on the property regarding the meeting and sent letters to 17 neighboring property owners and one Homeowners Association in addition to the City Registry of Interested Persons. Five members of the public attended the meeting. A summary of the meeting is attached to this report. The applicant requested to have the second meeting waived, which was approved by the Planning Director. Since that meeting the applicant has not had contact from property owners in the area requesting information or voicing a concern.

IV. Recommendation:

The Inter-Division Staff (IDS) team approved the site plan for this project on May 3, 2021 (conditions attached). Staff recommends that the request for the CUP be granted by the Planning Commission with the requirements included in Conditional Use Permit No. PZ-20-00071-05 and as follows:

1. The development of the site shall substantially conform to the plans as presented with the Conditional Use Permit application and with the Site Plan as approved by the Inter-Division Staff on May 3, 2021. Modifications to the approved site plan shall require additional review by the IDS team.
2. Development of the site shall be in compliance with the approved Traffic Impact Analysis.

V. Attachments:

The draft documents have been prepared in accordance with the staff recommendation and do not indicate the Commission's final decision. These documents will be updated after the public hearing on this case to reflect the Commission's decision.

- Draft Conditional Use Permit No. PZ-20-00071-05
- Draft Notice of Decision
- Proposition 207 waiver
- Site Plan Conditions of Approval
- Conditional Use Permit Application
 - Narrative
 - Public Participation Plan
 - Site Plan
 - Elevations and Signage
 - Landscaping Plan
 - Floor Plan
 - Lighting Plan