

Variance Application

NEC of 83rd Avenue and Glendale Road

VAR 21-01



Prepared by:

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Suite A-212
Phoenix, AZ 85016

Submittal: September 2021

Variance Narrative

Case Number: VAR 21-01

Glendale Board of Adjustment

I. INTRODUCTION

On behalf of DeRito Partners, we submit this request for the development of a new gas station and convenience store located at the northeast corner of 83rd Avenue and Glendale Avenue (the "Property"), as shown on the Vicinity and Aerial Maps attached as **Exhibit 1** and **2**. This application requests the following:

1. Variance to reduce the side yard building setback from 60-feet required to 15-feet (east side). **Section 5.575, Table 3**
2. Variance to reduce the rear setback from 60-feet required to 47-feet (north side). **Section 5.575, Table 3**

II. Background History

The site has historically operated as a gas station since its original construction in the early 1980's according to county historical photos. Overtime, the building has been abandoned and the site is fenced off. It has become blighted and a major nuisance with graffiti and vandalism as the pictures show at **Tab 3**.



Existing Building



Existing Building

The gas station predates the single-family residential that was constructed to the north in the mid 1990's. In addition, two billboards were constructed on the Property around the mid 1980's and they will remain on site as-is.

DeRito Partners proposes to redevelop the site with a new gas station. The proposed development will reinvigorate a blighted vacant lot and resume a use that has been on this site for years.

III. Development Proposal

The development proposes a new gas station and convenience store building (approx. 4,151 sf) located towards the middle of the site in a similar location as the existing structure on the site. In addition, the gas station canopy/fuel pumps are located south of the building toward Glendale Avenue. Access to the site is off 83rd Avenue and Glendale Avenue. However, due to the older engineering and design standards, the current driveway locations will be shifted to meet current code standards. See site plan at **Exhibit 4** and elevations at **Exhibit 5**.

IV. VARIANCE REQUEST

This property suffers from some unusual site circumstances that affect its redevelopment potential. Specifically, the odd shape of the parcel, and the billboard locations severely impact the site's ability to redevelop. In addition, the newer engineering standards necessitate relocation the access drives which affects the internal site circulation and refuse locations. The cumulative result is a building footprint area that is limited and constrained. The site can accommodate the west and south setback requirements but needs some relief for the north and east building setbacks.

To design around the conflicts and engineering requirements, the new development can provide a 47-foot building setback on the north and a 15-foot setback on the east side of the property, where normally 60 feet is required. While the zoning to the east of the site is residential, there are no actual homes directly adjacent to the east. Instead, the subdivision's retention/open space is located adjacent to the proposed building. Thus, the requested setback reduction to the east has no impact on any adjacent residential homes whatsoever. The minimal setback reduction to the north will not impact the residential homes located there, as there will be new landscaping proposed along the perimeter of the site, which doesn't presently exist today. Furthermore, the existing billboard only has a 10-foot setback from the homes to the north, so the 10-foot setback is a legal non-conforming condition that is already existing and allowed to remain.

V. Variance Test

A. Special Circumstances – *“There are special circumstances or conditions applicable to the property including its size, shape, topography, location, or surroundings which were not self-imposed by the owner”*

This property suffers from some unusual site circumstances that affect its redevelopment potential. Specifically, the odd shape of the parcel, and the billboard locations severely impact the site's ability to redevelop. In addition, the newer engineering standards necessitate relocation the access drives which affects the internal site circulation and refuse locations. The cumulative result is a building footprint area that is limited and constrained. Therefore, the site needs some relief on the north and east building setbacks.

The special circumstances are not self-imposed and were not created by the Applicant. They are unique to this site and inherent in its unusual parcel shape.

B. Deprive Property Owner of Privileges Enjoyed by Others – *“Due to the special circumstances, the strict application of the Zoning Ordinance would deprive the property of privileges enjoyed by other properties in the same classification in same zoning district.”*

The strict application of the variance would deprive the Property from a new development opportunity and cause the continued decline of blight and trashed condition of the Property. It would cause this site to lose out on privileges enjoyed by other properties in the same commercial zoning designation. Recognizing the parcels unique size and odd shape, the setback reduction on the east and north side is the proper way to restore equity and allow this site to develop in a way that benefits the surrounding area and solves the problem with blight, graffiti, and vandalism.

C. Minimum Necessary to Alleviate the Hardship – *“The variance is the minimum necessary to alleviate the property hardship”*

The development is requesting a variance to the east side where the retention basin which is the minimum necessary to alleviate the property hardship. In addition, to accommodate the development, we need minimal relief on the north side to resolve the site conflicts, driveway, and refuse requirements. The requests are the minimum necessary in to alleviate the property hardships.

D. No Detrimental Impact – *“Granting the variance will not have a detrimental effect on the property, adjoining property, the surrounding neighborhood, or the City in general.”*

The setback reductions will have no detrimental impact on the adjacent property or properties in the area. While the zoning to the east of the site is residential, there are no actual homes directly adjacent to the east. Instead, the subdivision’s retention/open space is located adjacent to the proposed building. Thus, the requested setback reduction to the east has no impact on any adjacent residential homes whatsoever. The existing 10-foot billboard setback is also a legal non-conforming condition that is permitted, and which already affords the relief granted on the northside. The minimal setback reduction to the north will not impact the residential homes because there is a wall, an existing 10-foot billboard setback, and proposed landscaping along that perimeter to provide an additional buffer.

The approval of the variance will have a positive impact on the area. It removes blight, graffiti, and vandalism. The new development is a substantial improvement for the area and replaces the old use with a newer, similar use.

IV. Summary

Variance relief is appropriate for this Property and merits approval. The Property suffers from special circumstances, beyond the applicant’s control, which affect the Property’s use. The special circumstances are unique to this application and are not caused by the applicant. Granting of the variance is necessary for the preservation and enjoyment of property rights and allows the applicant to continue to enjoy its investment and improvements in the area while expanding within the same shopping center. The use will not be a detriment to the area. The new development brings life to a blighted lot and resumes the same convenience store use that previously operated at this location for years.

By granting this request, the intent and purpose of the ordinance is preserved, and the relief requested does not substantially impair the purpose of the setback ordinance. We respectfully request your approval of this application.

TAB 1

Vicinity Map



TAB 2

Aerial Map



TAB 3

Site Photos



Site Photos



YES
BLENDING
01. 100% Lard
02. 100% Beef
03. 100% Pork
04. 100% Chicken

Site Photos



Site Photos



TAB 4

EXISTING ZONING R1-7

EXISTING ZONING C-2

EXISTING ZONING C-2

2286.5

N. 83RD AVE

EXISTING ZONING R1-7

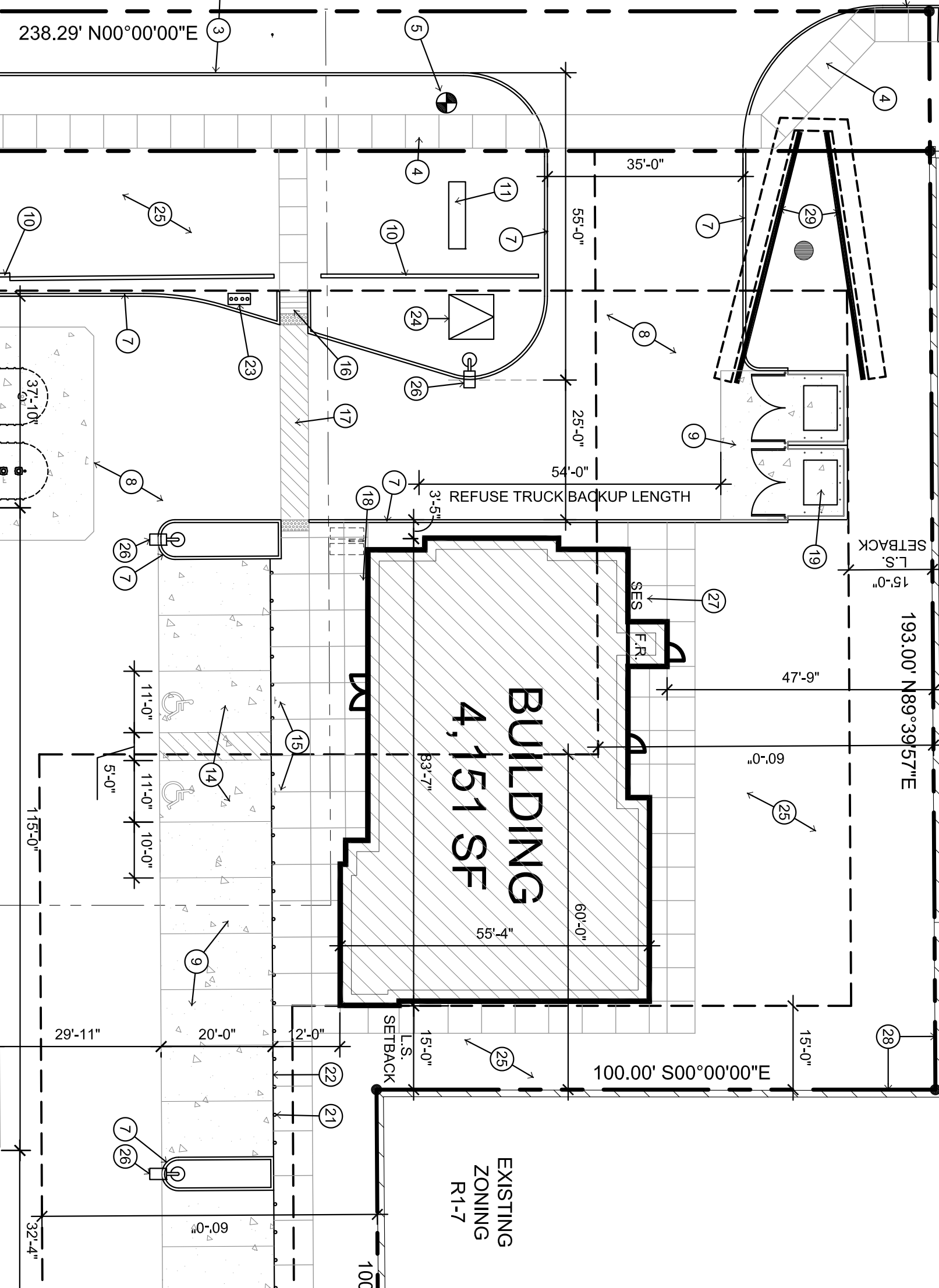
EXISTING ZONING R1-7

EXISTING ZONING R1-7

W GLENDALE AVE

333.01'

125.18'

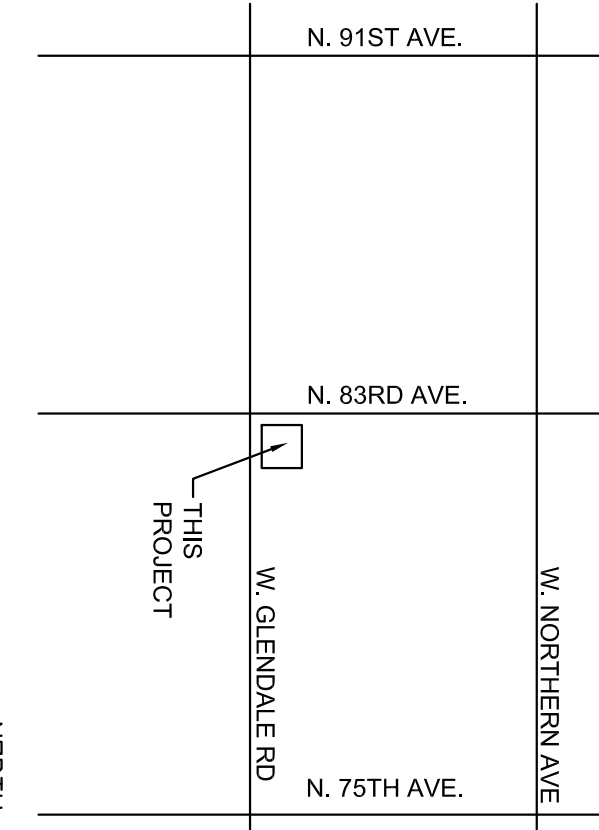


- CITY OF GLENDALE NOTES:**
1. FIRE DEPARTMENT ACCESS AND WATER SUPPLY REQUIREMENTS SHALL BE IN PLACE PRIOR TO PERMITTING AND CONSTRUCTION OF THE PROJECT. ALL NEW AND EXISTING UTILITIES WITHIN OR CONTIGUOUS TO THIS SITE SHALL BE PLACED UNDERGROUND.
 2. ALL UTILITY BOXES, VAULTS AND BACKFLOW ENCLOSED TO MATCH THE ADJACENT MATCH ENCLOSEMENT PAINTED TO MATCH THE ADJACENT WALLS.
 3. SIGHT TRIANGLE REQUIREMENTS OF THE CITY OF GLENDALE DETAIL G-447 (LOCAL STREETS) OR G-448 (ARTERIAL AND COLLECTOR STREETS) ARE MET FOR ALL STREETS ADJACENT TO THE PROJECT.
 4. REQUIRED LIGHTING SHALL BE PLACED SO AS TO DIRECT THE LIGHT AWAY FROM THE ADJACENT RESIDENTIAL USES AND MUST NOT EXCEED ONE-FOOT CANDLES AT THE LIGHTS WITHIN 150'-0" OF RESIDENTIAL USE TO BE 15'-0" TALL. HIGH PRESSURE SODIUM (HPS) LIGHTING REQUIRED ADJACENT TO RESIDENCE.
 5. ON-SITE LIGHTING SHALL MEET OUTDOOR LIGHT CONTROL ORDINANCE: 55 DECIBELS (NORMAL SPEAKING) AND 45 DECIBELS (QUIET) AT THE PROPERTY LINE. CONVENIENCE USES SHALL BE SUBJECT TO A SEPARATE CITIZEN PARTICIPATION AND CONDITIONAL USE PERMIT PROCESS.
 6. THE PROPERTY OWNER IS RESPONSIBLE FOR MAINTAINING LANDSCAPING IN ALL PUBLIC RIGHTS-OF-WAY ADJACENT TO THE PROJECT.

- KEYNOTES:**
1. EXISTING CONCRETE CURB
 2. EXISTING STREET
 3. NEW STREET PAVING AND CONCRETE CURB PER CITY STANDARDS
 4. NEW CONCRETE ADA SIDEWALK
 5. NEW FRESH HYDRANT
 6. EXISTING STREETLIGHT TO BE RELOCATED
 7. NEW 6" HIGH CONCRETE CURB
 8. NEW ASPHALT PAVING
 9. NEW CONCRETE PAVING
 10. NEW 4'-0" TALL CMU SCREEN WALL
 11. NEW MONUMENT SIGN (UNDER SEPARATE PERMIT)
 12. UNDERGROUND FUEL TANKS
 13. NEW FUELING CANOPY
 14. ADA PARKING SPACE
 15. ADA SIGNAGE
 16. ADA RAMP/WIDE DETECTABLE WARNING
 17. PEDESTRIAN ACCESS PATH, PAINTED STRIPED
 18. BIKE RACK
 19. TRASH ENCLOSURE PER C.O.G. DETAIL G-994
 20. AIR/VACUUM STATION
 21. 6" DIA. 48" HIGH PIPE BOLLARD WITH PLASTIC BOLLARD COVER
 22. EDGE OF SIDEWALK, ZERO CURB CONDITION
 23. FUEL VENTS
 24. ELECTRICAL TRANSFORMER
 25. LANDSCAPE AREA
 26. EXTERIOR PARKING LOT LIGHT POLE
 27. S.E. LOCATION
 28. EXISTING 6'-0" TALL CMU WALL, REPAINT
 29. EXISTING BILLBOARD, EXISTING POWER DROPS SHALL BE PLACED UNDERGROUND
 30. EXISTING TRAFFIC SIGNAL AND STREETLIGHT TO BE REMOVED AND NEW INSTALLED
 31. REMOVE EXISTING CONSTRUCTION (DASHED LINE)
 32. 40'-0" X 40'-0" SITE VISIBILITY TRIANGLE
 33. CONTINUOUS DECEL LANE TO BEND DRIVE

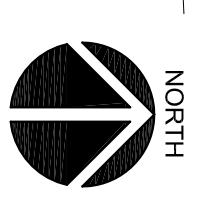
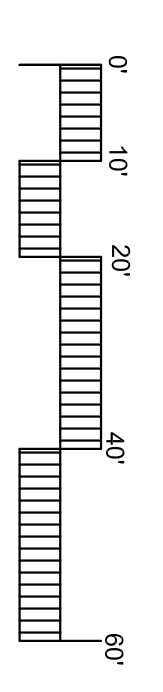
OWNER:	ARCHITECT:
DETRIO DEVELOPMENT 8120 EAST TALKING STICK WAY SUITE 200 PHOENIX, ARIZONA PH: 480.534.8500 EMAIL: info@detrio.com	ARCHICON ARCHITECTURE 4400 N. 12TH STREET SUITE 228 PHOENIX, ARIZONA 85014 CONTACT: JEFF HUNT PH: 602.222.4266 EMAIL: jhunt@archicon.com
CIVIL ENGINEER:	LANDSCAPE ARCHITECT:
CYRESS CIVIL DESIGN/ENGINEER 4400 N. 12TH STREET SUITE 228 PHOENIX, ARIZONA 85014 CONTACT: JEFF HUNT PH: 602.222.4266 EMAIL: jhunt@cyresscivil.com	TJ MCGUIRE & ASSOCIATES 8433 E. CHOLLA ST SCOTTSDALE, AZ 85260 CONTACT: TJ MCGUIRE PH: 480.238.0520 EMAIL: tjm@tjmoguires.com
PROJECT DESCRIPTION:	
THIS PROJECT WILL CONSIST OF A NEW C-STORE ALONG WITH THE ADDITION OF A GAS FUELING CANOPY.	
THE LOTS WILL BE COMBINED AND NEW DRIVEWAYS WILL BE PROVIDED INTO THE SITE FROM BOTH 83RD AVE AND GLENDALE AVE	
SITE DATA:	
ADDRESS: 8250 W GLENDALE AVE	
ASSESSOR PARCEL #: 142-27-098C 142-27-098D	
EXISTING ZONING: C-2	
SITE AREA: (GROSS): 102,841 S.F. (2.36 ACRES) EXISTING SITE AREA: (NET): 71,046 S.F. (1.63 AC) PROPOSED SITE AREA (NET): 61,415 S.F. (1.41 AC)	
PROPOSED BUILDING AREA: 4,151 SQ. FT.	
GAS CANOPY AREAS: (115' X 22') 2,530 SQ. FT.	
FLOOR AREA RATIO: 6.881 / 61,415 = 0.1087	
BUILDING COVERAGE: (INCLUDES CANOPY) = 10.8178%	
OCCUPANCY: M (RETAIL STORE & MOTOR FUEL DISPENSING)	
CONSTRUCTION: V-B W/A.F.E.S.	
ALLOWABLE AREA: 6,000 SQ. FT. (1 STORY)	
BUILDING HEIGHT ALLOWED: 30'-0" (MAXIMUM)	
BUILDING HEIGHT PROVIDED: 24'-0" (TOP OF MAIN PARAPET) 30'-0" (TOP OF HIGH PARAPET)	
REQUIRED PARKING CALCULATIONS:	
OCCUPANCY: S.F. FACTOR TOTAL	
RETAIL: 4,151 1/290 17 SPACES	
TOTAL PARKING SPACES PROVIDED: 20 SPACES	
ACCESSIBLE PARKING SPACES PROVIDED: 2 SPACES - VAN ACCESSIBLE	
BICYCLE SPACES: 2 SPACES	

VICINITY MAP



1 SITE PLAN

SCALE: 1" = 20'-0"

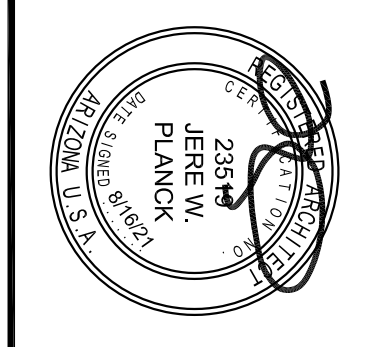


SP0040224
CUD 2140
VAR21-D1

CORNER PAD DEVELOPMENT

8250 W GLENDALE AVE
N.E.C. 83RD AVE & W. GLENDALE AVE
GLENDALE, ARIZONA

ARCHICON
Architecture & Interiors, L.C.
5055 E WASHINGTON STREET
SUITE 200
PHOENIX, ARIZONA 85034
(602) 222-4266
PH: (602) 279-4305
WWW.ARCHICON.COM



DR100

NO.	REVISION	DATE

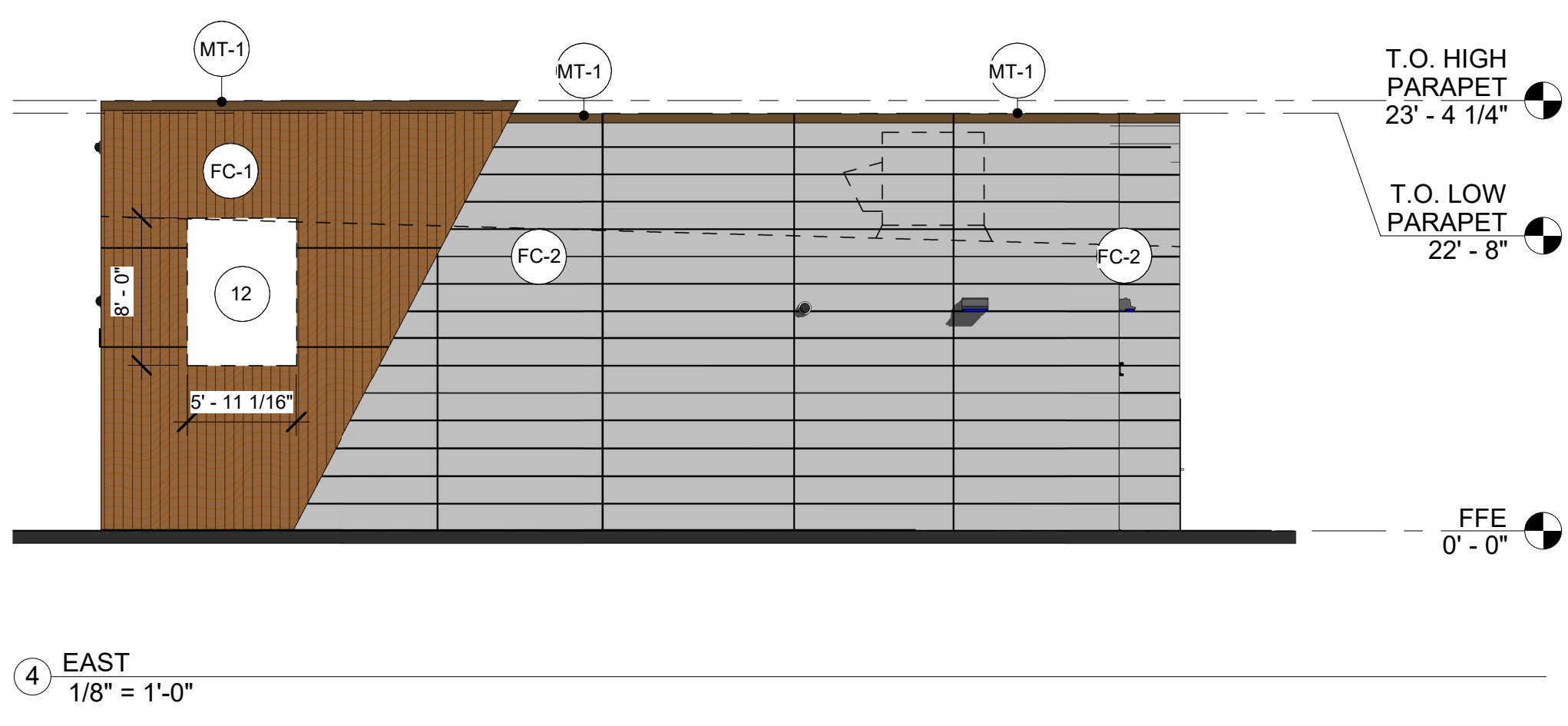
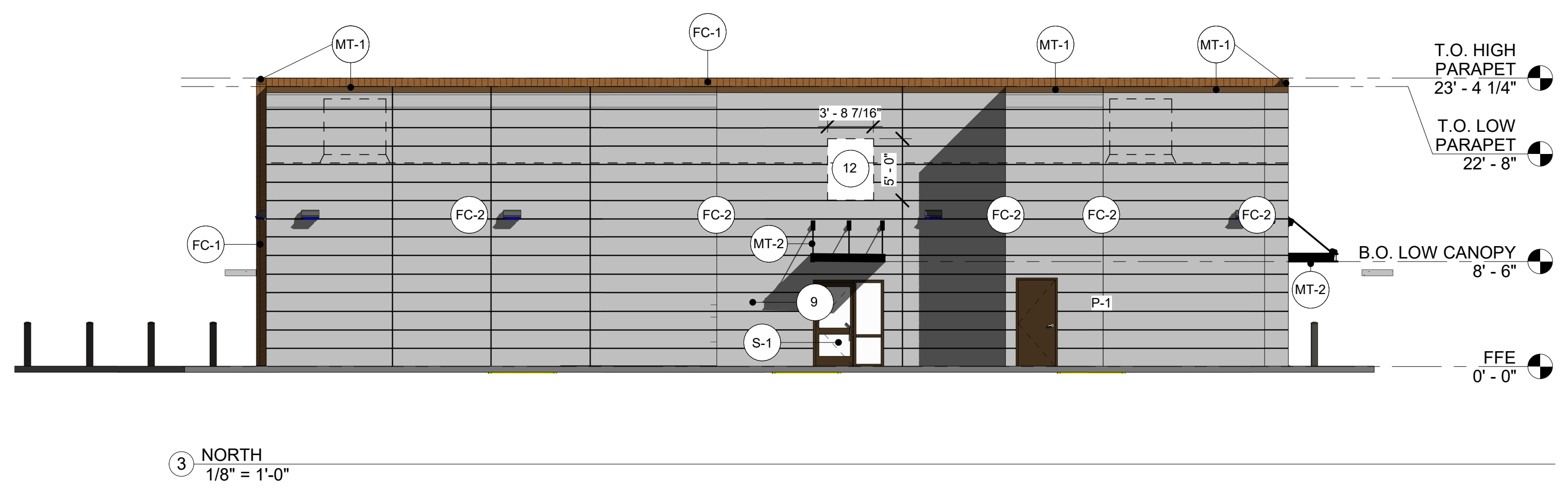
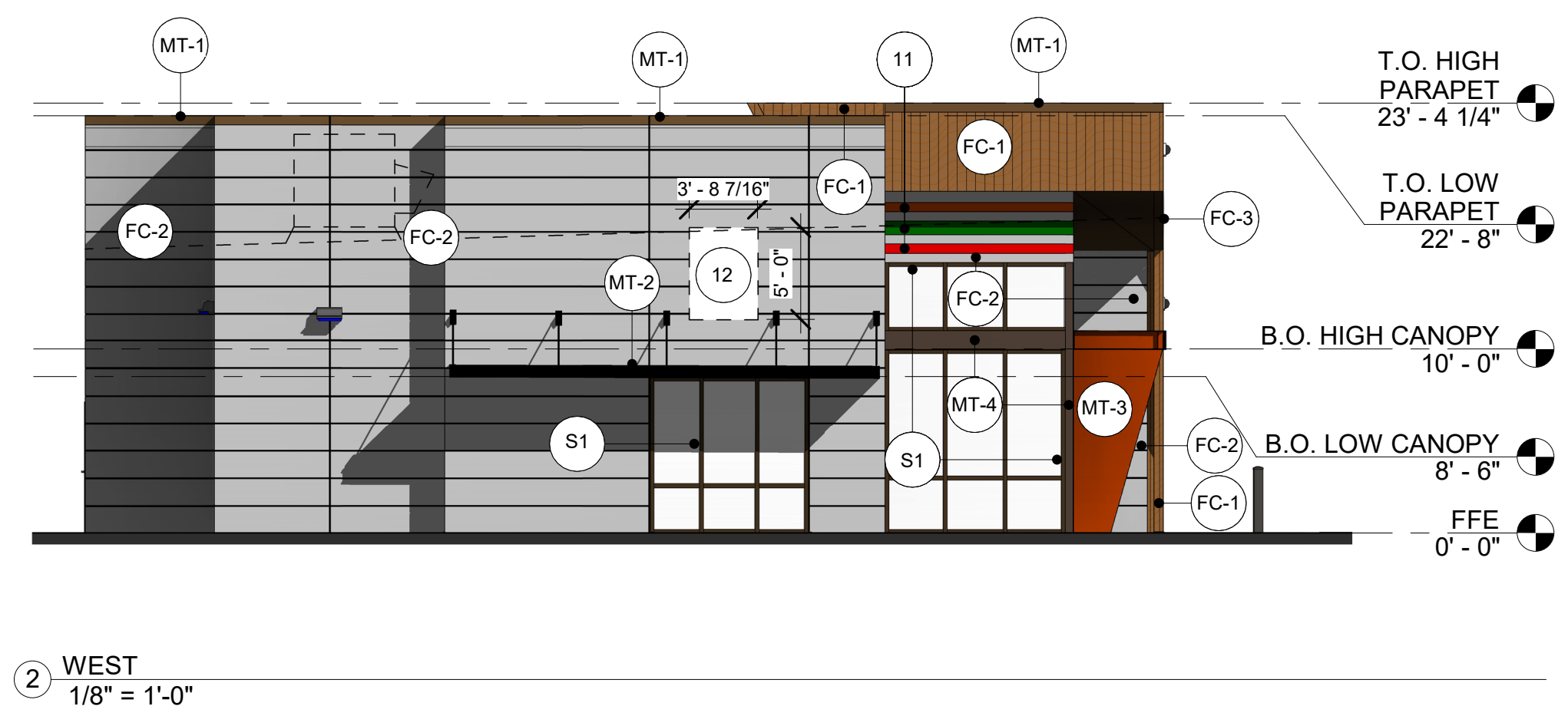
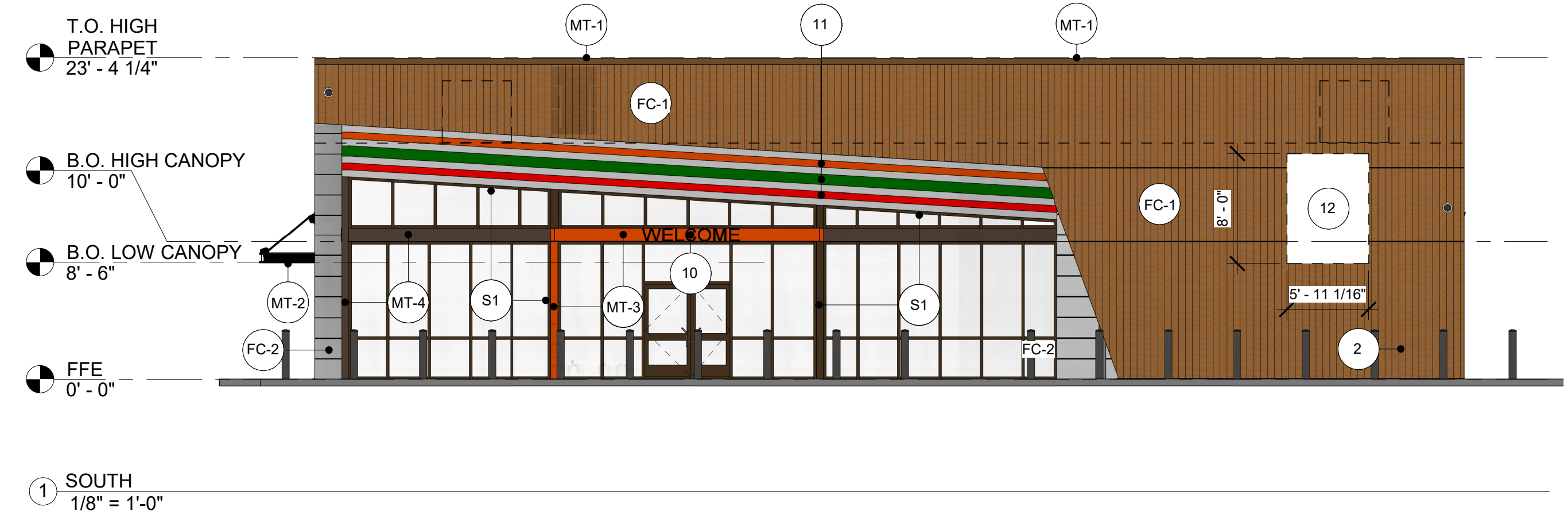
PROJECT NUMBER: 2122515-05
PROJECT MANAGER: J KOSKI
DRAWN BY: ARCHICON
CHECKED BY: J KOSKI

SHEET DESCRIPTION
SITE PLAN

SHEET NO.

ISSUE DATE: 16 AUG 2021

TAB 5



KEYED NOTES1

- FC-1 CEDAR COLORED FIBER CEMENT PANELS
- FC-2 GREY COLORED FIBER CEMENT PANELS
- FC-3 MEDIUM BRONZE COLORED FIBER CEMENT SOFFIT CEILING
- MT-1 PRE-FINISHED MTL COPING AND COMPRESSION EDGE, PAINTED MEDIUM BRONZE
- MT-2 PRE-FINISHED ALUMINUM CANOPY, PAINTED BLACK
- MT-3 PRE-FINISHED ALUMINUM CANOPY, PAINTED ORANGE
- MT-4 BRAKE MTL, PAINTED DARK BRONZE
- S-1 ENDURING BRONZE COLORED ALUMINUM STOREFRONT AND SUPPORT COLUMNS
- P-1 EXTERIOR DOOR, PAINTED ENDURING BRONZE
- 10 NON-ILLUMINATED WELCOME SIGN - SEE SIGN RESOURCE DOCUMENT
- 11 NON-ILLUMINATED THREE STRIPE BAND - SEE SIGNAGE RESOURCE DOCUMENT
- 12 EXTERIOR BUILDING SIGNAGE - SEE SIGN RESOURCE DOCUMENT

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CORNER PAD DEVELOPMENT
8250 W GLENDALE AVE
GLENDALE, ARIZONA

PROJECT NO: DR316
PROJECT MANAGER:
DRAWN BY: Author
CHECKED BY: Checker

NO.	REVISION	DATE

SHEET DESCRIPTION
COLOR ELEVATIONS



SHEET NO.

DR301

SR20-0221
CUP 21-03
VAR21-01

CITY APPROVAL