



## PLANNING COMMISSION REPORT

CASE: GPA22-06 & ZON22-16 SHOPS AT 75TH - LOCATED ON THE SOUTHWEST CORNER OF 75TH AVENUE AND BETHANY HOME ROAD

CASE #: GPA22-06 & ZON22-16

MEETING DATE: 03/23/2023

FROM: Alejandro Lerma, Senior Planner, Planning, alerma@glendaleaz.com,

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### **SUBJECT**

GPA22-06 & ZON22-16 SHOPS AT 75TH - Request for entitlement approvals for a General Plan Amendment and Rezoning Application.

### **REQUEST**

Planning Commission recommendation to amend the General Plan Land Use Designation and Zoning Classification for Shops at 75th (GPA22-06 and ZON22-16).

### **APPLICANT/OWNER**

Scott Hintze/ Diversified Partners, LLC (480) 947-8800, NRM Group, LLC

### **REQUIRED ACTION**

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

### **SUMMARY**

The applicant is proposing to amend the property's General Plan designation from OFC (Office) to GC (General Commercial) and amend the property's zoning classification from CO (Commercial Office) to C-1 (Neighborhood Commercial). The proposed changes will allow the applicant to develop the site into a commercial center. Two (2) points of access are proposed along 75th Avenue and one (1) point of access is also proposed along Bethany Home Road.

### **BACKGROUND INFORMATION**

#### **General Plan Designation:**

The property is designated as OFC (Office).

#### **Property Location and Size:**

The property consists of one parcel and is located at the southwest corner of 75<sup>th</sup> Avenue and Bethany Home Road. The site is approximately 3.7 acres in size and located in the Yucca Council District.

#### **History:**

The property has historically remained vacant and unimproved. During the fall season, the site was used for overflow parking for the pumpkin patch events conducted by the property directly south of the subject site.

**Project Details:**

With the recent connection of Cardinals Way and Bethany Home Road and with future residential development on the northeast corner of Bethany Home Road and 75th Avenue, it is anticipated that the level of traffic will increase in the general area. The applicant sees this road connection as a way to alleviate stadium traffic from the Arizona Cardinals stadium and with the higher levels of traffic on Bethany Home Road, bring additional employment opportunities and tax revenues to an area that was underutilized in the past. The applicant foresees the property as an opportunity to serve the needs of those traveling along this major intersection by providing goods and services.

Per the request, the applicant seeks to change the entitlements of the property from a zoning district dedicated to financial, professional and office services to a district dedicated to the needs of surrounding residential development by providing convenience goods and services. With the change in land use, the developer will be able to develop the 3.7-acre site into a commercial center.

The proposed commercial center will have two (2) points of access along 75<sup>th</sup> Avenue and one (1) point of access along Bethany Home Road. For buffering purposes, perimeter landscaping will be installed along all property lines along with perimeter walls. (See Conceptual Site Plan Included as Exhibit 2 of the Project Narrative)

No end users have been discussed with staff but it's anticipated that the applicant will be seeking Conditional Use Permits to allow convenience uses on site.

**CITIZEN PARTICIPATION TO DATE:**

**Applicant's Citizen Participation Process:**

On September 20, 2021, the applicant mailed notification letters to adjacent property owners and interested parties. A neighborhood meeting was held on October 18, 2021. There was only one (1) participant in attendance. The participant was in supported of the proposal. Per direction of city staff, the applicant sent a follow-up letter to the surrounding property owners on May 3, 2022. The applicant received four (4) responses to the follow-up letter. The responses were both in approval and in opposition for the proposal. The person who was in opposition indicated that development on site will cause an increase in traffic with schools near the area. City staff received a communication from a citizen in opposition who indicated the proposed development would generate more traffic to the area. The applicant's Citizen Participation Final Report is attached. The letter in opposition received by staff is also attached.

**Planning Commission Public Hearing:**

A Notice of Public Hearing was published in *The Arizona Republic* on March 1, 2023. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on February 24, 2023. The property was posted on March 3, 2023.

**STAFF FINDINGS AND ANALYSIS**

## Required General Plan Amendment Findings:

Per Section 3.528 of the Zoning Ordinance required the following General Plan Amendment Findings:

The amendment is consistent with the policies and objectives of the rest of the General Plan; and

The proposed General Plan Amendment is consistent with several of the Goals and Policies depicted within the Envision Glendale 2040 such as the following:

- Community Preservation & Revitalization Goal CRR-2, Policy CRR-2.1: The City shall encourage and support infill development to take advantage of existing infrastructure, community and educational facilities, and enhance existing neighborhoods.

**Per Section 3.2 of Envision Glendale 2040, The Community Preservation & Revitalization strategies not only pertain to residential uses but also commercial, industrial and mix-use development. The subject property serves as a great opportunity for infill development adjacent to an educational facility to the west, residential to the north and commercial use to the east. The development will be taking advantage of the already existing infrastructure (public roadway and utilities) along Bethany Home Road and 75th Avenue. Through site design, the applicant will implement strategies that will both preserve the surrounding existing uses and mitigate the impact of the site's potential user by providing perimeter buffering, effective interior circulation, and suitable pedestrian connectivity to adjacent sites.**

- Land Use Element Goal LU-1, Policy LU-1.1: Development is guided by sound growth management, the City shall ensure that sufficient infrastructure is in place for desired land uses **and** Land Use Element Goal LU-1, Policy 1.5: The City shall tie development approvals to availability of infrastructure, both existing and proposed as part of a development.

**The site abuts two (2) major thoroughfares, with Bethany Home Road along the north property line and 75th Avenue along the east property line. The site location provides options to connect to two major public roadways. There is an existing 12-inch water main located on 75th Avenue and an existing 12-inch line on Bethany Home Road. Both lines can be used to provide domestic water and landscape services and fire protection to the site. There is an existing 18-inch sewer main available along 75th Avenue to provide domestic sewer water to the site.**

- Community Preservation & Revitalization Goal NPR-3, Policy NPR-3.3: The City shall prescribe landscaping and screening devices as appropriate for land use buffering and greenbelts **and** Land Use Element Goal LU-2, Policy LU-2.4: The City shall ensure that adequate buffers between residential and non-residential uses are included, except in cases where the residential is a part of a mixed-used development where it relates to the adjacent uses.

**Per Section 7.200 of the Zoning Ordinance, the site will be required to provide buffering to adjacent sites and city right-of-way in the form of landscaping and perimeter walls. A minimum of a 15-foot landscaping area and an 8-foot wall will be installed along the west and south property line abutting residential districts. A 25-foot landscaping area and a 4-foot wall will be installed along the street frontage of the north and east property line.**

- o Circulation Element Goal C-7, Policy C-7.6: The City should seek to identify and secure right-of-way for future transportation needs when feasible.

**The developer will be required to dedicate additional right-of-way along 75th Avenue and build half-street improvements to city standards. No additional right-of-way will be required along Bethany Home Road, but half street improvements will be required from the developer.**

The proposed amendment furthers the public health, safety, and general welfare of the citizens of Glendale.

- o **Through site design and the use of different architectural methods the developer will ensure the safety and welfare of both patrons and employees. All open areas will be properly lit and visible from street view. The building arrangement of the site will be crucial to avoid hidden area or dark areas at night. The developer will also implement signage and interior circulation control as effective methods for safety.**

If the amendment is to the Land Use Map, an additional finding must be made that the proposed change will be compatible with other land uses, existing or planned, in the vicinity.

- o **The property located directly west of the site, at the southeast corner of 75th Avenue and Bethany Home Road, is identified with a Land Use Designation of GC (General Commercial). The adjacent property has been in use since 2005 and operates as a pharmacy. The subject property's proposed land use designation will be in conformance with this pharmacy's land use designation. The subject site is suitable for a GC designation based on its location on a hard corner of a major intersection providing multiple development types on a single site.**

#### **Required Rezoning Findings:**

Per Section 3.809 of the Zoning Ordinance, amendments to the zoning ordinance and official zoning map of the City of Glendale shall be approved only if:

- A. The amendment is consistent with the policies and objectives of the Glendale General Plan;

**The proposed amendment is consistent with the policies and objectives of the General Plan. The proposed amendment meets several of the policies and goals established in the General Plan. These goals and policies have already been addressed in the General Plan Findings section.**

B. The proposed amendment furthers the public health, safety and general welfare of the citizens of Glendale; and

**Through site design, the development will ensure that all open areas are well-lit and exposed from street view and that interior circulation is organized. The property will have direct access to Bethany Home Road and 75<sup>th</sup> Avenue and internal driveway aisles will be designed to accommodate emergency service vehicles.**

C. If the amendment is to the official Zoning Map, the proposed change will include any conditions necessary to mitigate any adverse impacts on businesses, persons, or properties adjacent to the requested amendment.

**Staff has included several stipulations that are more related to traffic and focused on the public health, safety, and general welfare of the citizens. The developer is required to complete a design review process prior to development. Through this process, city staff will work with the developer to address mitigation to adjacent sites through different buffering mechanisms.**

D. A finding is made that there are adequate school facilities, if the amendment is to the official Zoning Map, and if Section 3.812 (Adequate school facilities) is applicable.

**The rezoning request is to amend the property's zoning classification to C-1. The C-1 zoning district does not allow for any type of residential uses. Adequate school facilities are not applicable to this case.**

### **RECOMMENDATION**

Should the Planning Commission recommend approval of GPA22-06, it should be as written in the staff report.

Should the Planning Commission recommend approval of ZON22-16, it should be subject to the stipulations in the staff report.

### **PROPOSED MOTION**

Move to recommend approval of GPA22-06, as written.

Move to recommend approval of ZON22-16, subject to the following stipulations:

1. Development shall be in substantial conformance with the narrative and site plan date stamped January 6, 2023.
2. The developer will be required to provide 55' half street right-of-way (measured from Centerline) along 75<sup>th</sup> Avenue with half street improvements to be in line with Arterial Section A-1 of Glendale Standards.
3. Developer will work with SRP on the tiling/piping of the irrigation ditch and

associated USA Easement along 75<sup>th</sup> Avenue.

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**Attachments**

Project Narrative

CPP Final Report, Stamped, No Labels

Letter of opposition directed to staff

Prop 207 Waiver

TIA Executive Summary

GPA Case Map

Zoning Case Map

Aerial Map

Presentation