



PLANNING COMMISSION REPORT

CASE: ZON23-08 75TH & GLENDALE RETAIL PAD AMENDMENT
LOCATED ON THE SOUTHEAST CORNER OF 75TH
AVENUE AND GLENDALE AVENUE.

CASE #: ZON23-08

MEETING DATE: 08/22/2024

FROM: Alejandro Lerma, Senior Planner, Planning,
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SUBJECT

ZON23-08 - A request by Ian Lang on behalf of SimonCRE JV Tucker IV, LLC, to amend the existing Planned Area Development (PAD) landscaping and perimeter screening standards by removing the 8-foot screen wall requirement adjacent to single-family residential zoned properties in place of enhanced landscaped areas. The 7.46-acre site is located at the southeast corner of 75th Avenue and Glendale Avenue and is in the Ocotillo District.

Presented by: Alex Lerma, Senior Planner

REQUEST

Planning Commission recommendation to amend the existing 75th & Glendale Retail Center Planned Area Development (ZON23-08).

APPLICANT/OWNER

Ian Lang, SimonCRE JV Tucker IV, 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 existing Planned Area Development site landscape and screening requirements mirror those of the General (C-2) Commercial zoning district. Per Section 35.4.205.2 of the Unified Development Code, the site is required to provide an 8-foot wall along the east and south property lines, abutting single family residential uses. Based on challenges the applicant has faced in placing an 8-foot wall in close proximity to the residential subdivision's existing 6-foot wall, the applicant is requesting to modify the site landscape and screening requirements by replacing the required 8-foot wall with enhanced landscape along the existing southern and eastern commercial development boundaries and increasing the height of the truck dock wall on the rear side of the Goodwill building from 8 feet to 10 feet.

BACKGROUND INFORMATION

General Plan Designation:

The property is designated as PC (Planned Commercial).

Zoning:

The current zoning classification is PAD (Planned Area Development).

Property Location and Size:

The subject property includes 7.46 acres located at the southeast corner of 75th Avenue and Glendale Avenue. The property is located in the Ocotillo District.

History:

At the September 14, 2021, public hearing, City Council approved a request to rezone the subject property from General Commercial (C-2) to Planned Area Development (PAD) through zoning case ZON21-06. The PAD zoning district intended to accommodate a mix of general commercial uses similar to those allowed in the C-2 zoning district with drive-thru services allowed by right.

At the August 23, 2022, public hearing, City Council approved a Final Plat (FP22-09) to subdivide the subject property into six (6) separate lots.

On December 8, 2022, Planning Commission approved a request for a Conditional Use Permit to allow for a thrift store use in the PAD zoning district through case CUP22-10.

Project Details:

The applicant is requesting to amend the existing Planned Area Development (PAD) landscaping and perimeter screening standards to remove the 8-foot screen wall requirement adjacent to single-family residential zoned properties and, in its place, install additional landscaping in such areas to make the project not just more visually engaging but to also find acoustical barrier measures that will benefit all parties involved.

The existing Planned Area Development site landscape and screening requirements mirror those of the C-2 (General Commercial) zoning district. Per Section 35.4.205.2 of the Unified Development Code, the site is required to provide an 8-foot wall along the east and south property lines, abutting single-family residential uses. Based on the challenges the applicant has faced in placing the 8-foot wall in close proximity to the adjacent residential subdivision's existing 6-foot wall, the proposed amendment will allow an alternative screening element by enhancing the existing landscape areas with additional trees along the existing southern and eastern commercial development boundaries. To find a better resolution, the applicant hired a subcontractor to conduct a property condition report on the adjacent subdivision's 6-foot block wall. The applicant also hired an acoustical engineer to find what infrastructure additions could be implemented to best serve the area.

The acoustical engineer investigated what new infrastructure could be added to the site to limit the commercial development noise that could be produced and spread throughout the residential community. The engineer's proposed outcome was to make the loading

dock wall for the Goodwill loading dock area a total of 10 feet high in order to create the most functional sound barrier.

Once completed, the 75th & Glendale Retail PAD site will have 5 commercial pads in operation. Currently, the PAD site is close to completing all on-site improvements. Several of the pads are already in operation, including O'Reilly Auto Parts, Black Rock Coffee, Wendy's, and a multi-unit commercial building. The remaining and pending project is a Goodwill center, located at the southeast corner of the retail center.

Some of the completed on-site improvements include a 25-foot landscaping buffer along the south and east property lines to mitigate the impact of the development. A row of Willow Acacia trees is planted all along the south and east property line adjacent to the existing residential subdivision's 6-foot block wall. The applicant's intent is to install additional trees to the existing 25-foot landscape buffer as an additional mitigation component.

This PAD amendment request will not include any circulation changes. Site access will remain along both 75th Avenue and West Glendale Avenue. Two (2) access points with deceleration lanes are identified along 75th Avenue and one access point with a deceleration lane is identified along West Glendale Avenue.

Required 8-foot wall challenges:

Initially, the applicant communicated with the adjacent residential subdivision Home Owners Association (HOA) proposing to add two (2) additional feet to the subdivision's existing 6-foot block wall. The HOA declined the proposal indicating that they wanted no interference with their existing wall and didn't want to be affiliated with any cost or maintenance from the addition of two feet to their twenty-two-year-old wall.

The applicants' alternative option is to build their own wall adjacent to the existing 6-foot block wall. Section 35.4.204.G of the Unified Development Code indicates that in conditions where a proposed wall is immediately adjacent to and/or adjoining an existing wall, one wall shall be removed, or the proposed wall shall be designed and constructed to cap together the sides and top of both walls.

Through the due diligence and report prepared by the applicant's structural engineer, such report concludes that a newly proposed wall will need to be engineered in such a way that a 24-inch gap will be required between the two walls due to the existing 6-foot wall footing width encroaching into the subject property. These two walls cannot be placed any closer per the engineers' calculations. For this situation, the applicant has determined that a metal encasement/cap cannot be a viable solution to bond the two walls together.

Applicant's Citizen Participation Process:

On September 6, 2023, the applicant mailed notification letters to adjacent property owners and interested parties. A virtual neighborhood meeting was held on September 20, 2023. There were no participants at said meeting. On January 17, 2024, City staff mailed a follow-up letter to adjacent property owners. The only communication staff has received is a letter from the HOA. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Arizona Republic* on July 31, 2024. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on July 26, 2024. The property was posted on August 2, 2024.

STAFF FINDINGS AND ANALYSIS

Required PAD Purpose:

The Unified Development Code indicated that the purpose of the Planned Area Development district is to encourage new and imaginative concepts in urban design and land development to promote and improve the health, safety, and general welfare of the residents of the city and to create distinct developments with unique urban design, single or mixed uses, and/or substantial additional benefit to the City that would not otherwise be required by this Code.

Section 35.2.901(A) of the Unified Development Code states that the purpose of the PAD (Planned Area Development) district is to:

1. Encourage creative and effective use of land and circulation systems to accommodate changes in land development technologies.

o Staff Analysis:

The PAD amendment maintains the overall development plan approved through ZON21-06 implementing a development that is unified by architecture, landscaping, signage and lighting with complimentary land uses. The project will continue to meet the intent of the PAD zoning district by creating a mix of uses with different levels of intensity. The development is oriented towards major streets with the largest retail building located in the southeast portion of the site. The orientation of the buildings and parking fits the site while allowing lush landscaping to buffer residential uses to the south and west.

2. Encourage residential development to provide a mixture of housing types and designs.

o Staff Analysis:

The PAD amendment is specifically to modify the site's landscape and screening requirements. The project's land use will continue to be oriented for commercial land uses at different levels of intensity with no intention to add a residential component.

3. Encourage innovative development or redevelopment concepts for all land use types to provide a greater variety and intensity of uses.

o Staff Analysis:

The existing Development Standards are put in place to facilitate commercial type development and meet existing and future demands. The existing Development Standards further support the size and type of buildings being constructed for the wide range of commercial uses allowed on-site.

4. Provide a process which relates the urban design and scale of the project to the unique characteristics of the site.

o Staff Analysis:

The request amendment is specifically to address the unforeseen challenges the developer has faced during the development stages of the project. These challenges are not based on unique characteristics of the site but adjacent land uses and preferences. As a resolution, the applicant is proposing alternative buffering elements for mitigation purposes. In place of constructing an 8-foot wall adjacent to an existing 6-foot wall, the applicant is proposing to enhance the existing landscape area nearest to the residential uses. The developer will plant a row of Mulga Acacia trees next to the existing Willow Acacia trees creating a dense canopy. The enhancement of the landscape area will exceed the existing landscaping requirements for commercial land uses. As part of the recommendation, planning staff is requiring that the proposed Mulga Acacia trees be installed at a mature stage to provide the same immediate impact as a block wall. As an additional buffering element and per the applicant's noise study, the applicant is proposing to increase the loading dock area wall of the pending commercial building located on the southeast corner of the site from 8 feet to 10 feet. The additional wall height will create a greater sound buffer adjacent to residential use.

5. Require the nature and intensity of development to be supported by adequate utilities, transportation, drainage, and common open spaces to serve the development and to minimize impact on existing or future adjacent development.

- **Staff Analysis:**

The Property is in the last stages of completing on-site improvements and will merely be modifying the perimeter wall requirement and enhancing the existing landscape area to the west and south of the development. Existing infrastructure along Glendale Avenue and 75th Avenue are available to serve the development. In addition, the infrastructure necessary to serve the site has been designed and constructed in accordance with the City's requirements and policies.

6. Encourage development that is consistent with the policies and the guidelines established in any specific plan and the General Plan.

- **Staff Analysis:**

The property lies within the Planned Commercial (PC) land use category of the Envision Glendale 2024 General Plan. The development meets the intent of the land use designation by providing commercial retail development that is planned, constructed, and operated as a single entity. Site development has been in accordance with the overall development plan approved through zoning case ZON21-06 which statically planned site access, building location and orientation, interior circulation, site lighting and landscape areas. The site is in the last stages of completion and will remain in operation and ownership under a single entity.

RECOMMENDATION

Should the Planning Commission recommend approval of ZON23-08, it should be subject to the stipulations in the staff report.

PROPOSED MOTION

Move to recommend approval of ZON23-08, subject to the following stipulations:

1. Development shall be in full conformance with the amended PAD Narrative and the proposed enhanced Landscape Plan, date stamped July 10, 2024.
2. All proposed Mulga Acacia trees planted along the property perimeter shall be installed at a minimum 24" box size.
3. The loading dock area wall for the proposed Goodwill commercial building shall be increased to 10 feet.

Attachments

Narrative
Enhanced Landscape Plan
CP Final Report_without labels
HOA Letter
City Notification
Structural Study
Noise Study
Prop207
ZON Map
Aerial Map
PowerPoint Presentation