

Attachment H – Evaluation Criteria

Section 1-3-2 (Use Permits) of the Zoning Ordinance requires that the Planning and Zoning Commission and City Council determine that the proposed use meets the following findings prior to granting a Use Permit:

1. *The Use Permit will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare;*

As described in the narrative (Attachment F) and conceptual plans provided with the Use Permit, the proposed use is fitting with the adjacent freeway and surrounding uses (both existing and future). The proposed building elevations create harmony and continuity of design with approved buildings in the center, and the use is similar to other uses approved in the rest of the center. City Council approved Use Permits for a Filiberto's fast food restaurant on April 26, 2021, and a QuikTrip convenience store and gas station on July 8, 2024. The nearest home is over 500 feet from the edge of the site and is separated by a large RV parking area within the PebbleCreek neighborhood. Additionally, the applicant proposes mitigation efforts, including noise mitigation, with the proposed site design, screening, and by locating noise producing equipment in enclosed buildings. The wash tunnel was intentionally positioned east to west (parallel to Indian School Road) and as far as possible from the nearest homes. The exit of the wash (the most noise generating portion of the site) will be over 650 feet from the nearest home.

The noise impact study considers that this area is impacted by the Loop 303 freeway noise, the noise of heavy trucks from the adjacent UPS Hub, and periodic jet activity from Luke Airforce Base, meaning there is already ambient noise in the area. The noise impact study found minimal to no changes in noise levels as a result of this proposal. The applicant studied noise at several receptor points, including receptor points at the nearest homes and the pickleball courts located southeast of the site. The study found these points to have no change in noise levels when comparing existing ambient conditions to anticipated noise levels. Importantly, this noise study was prepared utilizing "worst-case noise level projections" meaning that every vacuum and the tunnel operating simultaneously, when in actuality the noise may be intermittent or even lower in noise level. Nonetheless, staff included a stipulation of approval limiting noise to 65 dB at the at the property lines of Lot 5 with required verification before staff signs off on Temporary Certificate of Occupancy or Final Certificate of Occupancy.

Staff believes the proposed use will not cause any traffic to travel through the nearby neighborhood. In addition, car washes are considered relatively low traffic-generating uses compared to other C-2 permitted uses as a large amount of car wash trips are "pass by" in nature, meaning most of the traffic visiting Super Star is already on the road. Overall, this proposed Super Star will generate approximately 49 new trips in the morning peak hour and 39 trips in the evening peak hour.

The Property is located within the Lighting Zone 2 of the Zoning Ordinance and required to have full-cut-off lighting and house-side shielding per code.

2. *The proposed use is reasonably compatible with uses permitted in the surrounding*

Attachment H – Evaluation Criteria

area;

The proposed use is located within a commercial center intended for similar commercial uses, including uses with drive-through facilities. Furthermore, the proposed use is located within close proximity to W. Indian School Road and Loop 303 Loop access ramps. As such, the proposed use will be compatible with the existing and planned uses in the surrounding area in terms of hours of operation, traffic generation, and intensity (noise, light, etc.). The nearest existing residence is located over 500 feet to the east (within the PebbleCreek community). Given the property's proximity to a freeway and the large separation from residential uses, the proposed convenience use is compatible for the property.

Section 4-2-2 (Convenience Uses) of the Zoning Ordinance requires evaluation of the following additional criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

1. *Adequacy of the parcel size and configuration to provide proper access and internal circulation;*

The approximately 1.26-acre property is of sufficient size and configuration to accommodate the proposed car wash. The proposed access and internal traffic circulation pattern have been designed to be consistent with the approved Master Site Plan and city standards.

2. *Compatibility of the proposed hours of operation with adjacent residential areas;*

Super Star is proposing operations 7:00 AM to 7:00 PM, seven (7) days a week. Given the proposed use's location within a commercial center and its separation from the nearest residence by walls and RV parking, staff does not recommend any restrictions on hours of operation.

3. *Required traffic mitigation measures, if any;*

A traffic study was submitted with the application for Use Permit. Ingress/egress will be provided from W. Indian School Road and N. 166th Avenue. The traffic study for the site has been approved by the Engineering Department.

Off-site street and access improvements adjacent to the commercial center will be completed by the master developer as approved within the Master Site Plan.

4. *Other concerns, which may place the advisability of the proposed convenience use in question;*

Outside of the noise concerns staff had no other concerns with the development of a convenience use on the Property.