

Attachment G – 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 E) and conceptual plans provided with the Use Permit, the proposed use should not produce excessive odors, noise, or light to the detriment of the surrounding area. Traffic impacts have been reviewed and determined to be in conformance with the roadway capacity and improvements for this area. The nearest residence is approximately 120 feet east of the property on the opposite side of the Roosevelt Irrigation District (RID) canal. The Property is located within Lighting Zone 2 of the Zoning Ordinance and required to have full-cut-off lighting, and in addition, staff is proposing a stipulation that requires canopy lighting to have shielded lights.

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

The use permit is proposed on a property intended for the development of commercial uses. The existing and permitted commercial uses within the area are of similar intensity and operation to this proposed use permit, and the nearest residence is separated from the Property by the RID canal. Given the property's location within a commercial center and separation from the nearest residence by the RID canal, staff believes the proposed convenience use is compatible with uses permitted in the surrounding area.

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 Property is of sufficient size and configuration to accommodate the proposed convenience store and fueling stations. The proposed access and internal traffic circulation pattern have been approved by the Engineering Department.

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

The applicant is proposing operations twenty-four (24) hours per day, seven (7) a week. The proposed hours of operation are similar to those currently operated by other businesses in the center; Federico's is a fast food drive-through restaurant located south of the Property and is open twenty four (24) hours, every day of the week. Given the proposed location within a commercial center and the separation from the nearest residence by the RID canal, staff does not recommend any restrictions on hours of operation.

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

A traffic study was submitted and reviewed with the use permit. Ingress/egress is provided from W. Virginia Avenue and N. PebbleCreek Parkway. Both driveways will provide right-in, right-out access into and out of the Property. There is an existing traffic light at the intersection of W. Virginia Avenue and N. PebbleCreek Parkway.

Off-site street and access improvements adjacent to the property will be completed with this development.

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

Staff found no other concerns with the development of a convenience use on the property.