

BACKGROUND

Context

QuikTrip is requesting a Conditional Use Permit (CUP) for a 10-pump gas station associated with a 5,773 square foot convenience store proposed for the southwest corner of 95th Avenue and Olive Avenue. The 4.11 acre site is currently vacant and is located at the signalized intersection of Olive Avenue (arterial) and 95th Avenue (collector).

General Plan

The subject property is designated Low Density Residential (2-5 du/ac, target of 3 du/ac) on the General Plan Land Use Map. The Low Density Residential designation denotes areas where detached, moderately-sized lot, single-family residential neighborhoods are desirable. Places of worship, parks, trails, open spaces, and public facilities are also compatible with this category.

Zoning

The site is zoned La Jolla Groves and La Jolla Landings Planned Area Development (PAD). The PAD is intended to provide an alternative zoning district to allow for greater flexibility in both uses and design. PADs consist of a compatible selection of uses and groupings of buildings, parking areas, circulation and open spaces, designed as an integrated unit. Gas stations are conditionally permitted within the La Jolla Groves and La Jolla Landings PAD which refers to the standards found in the Intermediate Commercial (C-2) zoning district, thereby requiring the Conditional Use Permit (CUP).

Adjacent Uses and Zoning

Table 1 summarizes the existing land use, General Plan designation and Zoning for the surrounding areas.

Table 1 – Existing Land Use, General Plan Designation, and Current Zoning

	EXISTING LAND USE	GENERAL PLAN	ZONING
Subject Property	Vacant land	Low Density Residential	La Jolla Groves and La Jolla Landings PAD
North	Olive Avenue, then vacant land	Medium Density Residential	Intermediate Commercial (C-2)
South	Vacant land, then Single Family Homes	Low Density Residential	La Jolla Groves and La Jolla Landings PAD
East	95 th Avenue, then Single Family Homes	Estate Density Residential	Single Family Residential (R1-35)
West	Vacant land, then Outdoor Vehicle Storage	Low Density Residential	Central Commercial (C-3)

Other Related Policies and Project History

The site was rezoned in 2002 from Planned Community Commercial (PC-2) and Office Commercial (O-1), to its current designation of PAD, with underlining C-2 standards. The commercial portion of the PAD district has not been developed.

APPLICANT'S PROPOSAL

Goal/Purpose of Request

The 4.11 acre site is located at the southwest corner of 95th Avenue and Olive Avenue. The applicant is requesting the approval of a Conditional Use Permit (CUP) to allow a gas station use.

QuikTrip operates Sunday through Saturday, 24 hours daily. According to the applicant, the site is envisioned to serve as a catalyst for future development on a vacant, infill site that has not developed in the 15 years since receiving zoning approval. The surrounding area is a mix of single-family homes, duplex units, and a self-storage facility to the west. The applicant intends to operate in a manner to ensure that adjacent businesses and homes are not negatively impacted by the proposed use.

Development Information

- | | |
|--------------------|--------------------------|
| • Existing Use: | Vacant land |
| • Proposed Use | Gasoline service station |
| • Project Acreage: | 4.11 acres |

DISCUSSION AND ANALYSIS

Applicability

The subject property is zoned La Jolla Groves and La Jolla Landings PAD. The PAD consists of a residential and commercial component. For commercial development, the PAD aligns its development standards with the Intermediate Commercial (C-2) zoning district pursuant to the Zoning Ordinance. Within the C-2 zoning district, the issuance of a Conditional Use Permit is required for a gas station use.

Section 14-39-12 *Administrative Procedures* of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses.

Article 14-9-5-K *Non-Residential Uses* of the Zoning Ordinance provides the following limitations on gasoline service stations. Staff responses are in *italics*.

- a. Minimum frontage of one hundred-eighty (180) feet on one arterial street is required.

The site has a frontage length of 415 feet on Olive Avenue.

- b. No part of any building, canopy, fuel dispenser, or accessory equipment shall be within 200 feet of any residentially zoned property.

All aspects of the business are located outside of the 200 foot separation requirement to the residential zoned property to the east of the site, across 95th Avenue. The site has addressed this by placing the majority of the parking lot on the east side of the building and canopy, creating a buffer of 235 feet. The applicant additionally has provided a tall parking lot screen wall and dense vegetation to mitigate any noise, visual, or lighting concerns.

- c. A minimum of 500 feet of separation is required between gas service stations located on the same side of the street. Gas Service Stations separated by arterial streets are not subject to this requirement.

A Circle-K gas station exists across the arterial street, Olive Avenue, thereby satisfying this requirement.

- d. All of the following development standards shall apply:

- 1) The minimum side and rear building setback including canopies, from a property line abutting a residential zoning district: thirty (30) feet.

All portions of the building are located outside of this setback.

- 2) The minimum side and rear building setbacks including canopies, from a property line abutting a non-residential zoning district: ten (10) feet.

All portions of the building are located outside of this setback.

- 3) The minimum street setback for buildings, fuel dispensers, accessory equipment, and canopies: twenty-five (25) feet.

All portions of the building, fuel dispensers, accessory equipment, and canopies are located outside of this setback.

- 4) All fuel pump mechanism and any accessory equipment dispensing fuel shall be covered by canopies.

All fuel pump mechanism and any accessory equipment dispensing fuel are covered by canopies.

- 5) Under-canopy mounted lights shall be flush with the underside of the canopy.

The lights are flush and the applicant has submitted a Design Review Waiver to lessen the requirement from 12 inches to 10 inches for the surrounding

fascia length. This will not cause any adverse effects into the neighboring residential homes to the east of the property.

- 6) Fuel tanks larger than 1,000 gallons must be located underground. Above ground tanks shall be screened from street view, shall not exceed 6-feet in height, and shall be setback at least 25-feet from any public street.

All tanks are located underground.

Compatibility With Surrounding Land Uses

The La Jolla Groves and La Jolla Landings PAD commercial portion has remained undeveloped since receiving zoning approval in 2002. The gas station will be located at the immediate corner of an arterial and collector intersection. A church occupies a parcel to the north of the site, a gas station to the northeast, and a large lot subdivision to the east. The remaining 12 acres of the commercial land area is available for future development. Staff does not anticipate any negative impacts that would affect adjoining or nearby uses as a result of this request nor has staff received any comments from residents or businesses in opposition to this application.

Access

The applicant has proposed two points of access onto Olive Avenue one point of access onto 95th Avenue. The driveway onto 95th Avenue is positioned between two residential homes to ensure headlights do not cause any glare into the residential homes. The eastern access point onto Olive Avenue (nearest to 95th Avenue) has been restricted to right-in, right-out only due to its proximity to the signalized intersection. The third point of access to the west of the site will allow full movement (right-in, right-out, left-in, and left-out). Additionally, this access point meanders further into the property to allow additional throat length for vehicles to queue when exiting the site and provides a centralized intersection for future development.

The applicant has agreed to increase the standard parking screen wall height from three feet (3') to four feet (4') along the eastern portion of the site to enhance screening of headlights from the parking stalls into the residences across 95th Avenue. Additionally, the applicant is proposing enhanced landscaping along this same frontage that will be maintained in a manner that will also provide dense screening and overall aesthetics. No lit banding will be allowed on the building or canopy to ensure Dark Skies compliance. The applicant has also provided a photometric plan that verifies that no light spills outside the bounds of the property.

If any issues arise regarding the operation of the business, Section 14-39-12.I of the Zoning Ordinance provides the Planning Manager with continuing jurisdiction over all Conditional Use Permits. This means that the Planning Manager may recommend to the Planning and Zoning Commission that a permit be revoked, modified, or suspended should any of the following occur:

- a. The permit was obtained by fraud or misrepresentation;

- b. The use authorized by the CUP has been exercised in violation of the conditions of approval.
- c. A change in circumstances where the following has occurred:
 1. Impacts from the approved CUP to neighboring properties; and
 2. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
- d. The use authorized by the CUP is operated in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City; or is exercised in a manner that is detrimental to the public health, welfare or safety.

COMMUNITY INVOLVEMENT

Outreach Requirements

The application was properly noticed pursuant to Section 14-39-6 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOA's within one (1) mile, posting a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

Support / Opposition

At the time of this writing, no responses in support or opposition have been received.

Proposition 207 Waiver

The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

STAFF RECOMMENDATION

Based on the following findings:

- The request is consistent with the City of Peoria Zoning Ordinance and compatible with the uses in the surrounding area;
- The use, subject to the conditions of approval contained within this report, will operate in a manner that will not negatively impact the adjoining uses; and,
- The applicant/owner has submitted a signed and notarized a Proposition 207 waiver, which will be recorded with the conditions outlined below.

Staff recommends that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU16-0027, subject to the following conditions:

1. The development shall substantially conform to the Project Narrative (Exhibit C) and Site Plan (Exhibit D), as contained in the staff report to the Planning and Zoning Commission dated March 16, 2017.
2. Any material expansion of the use shall require an amendment to the Conditional Use Permit.
3. Per section 14-39-12.B.5 of the Peoria Zoning Ordinance (1977 Edition), the Conditional Use Permit will expire on July 19, 2018 if the use has not been exercised or a building permit has not been obtained.

REPORT PREPARED BY

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ATTACHMENTS:

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Project Narrative
Exhibit D	Site Plan

CU16-0027 Vicinity Map



CU16-0027 QuikTrip 484

Applicant: Brian Greathouse

Request: The applicant is requesting a Conditional Use Permit for a gas station use.

Location: The southwest corner of 95th Avenue and Olive Avenue.

Exhibit A



Not to Scale

CU16-0027 Zoning Map



CU16-0027 QuikTrip 484

Applicant: Brian Greathouse

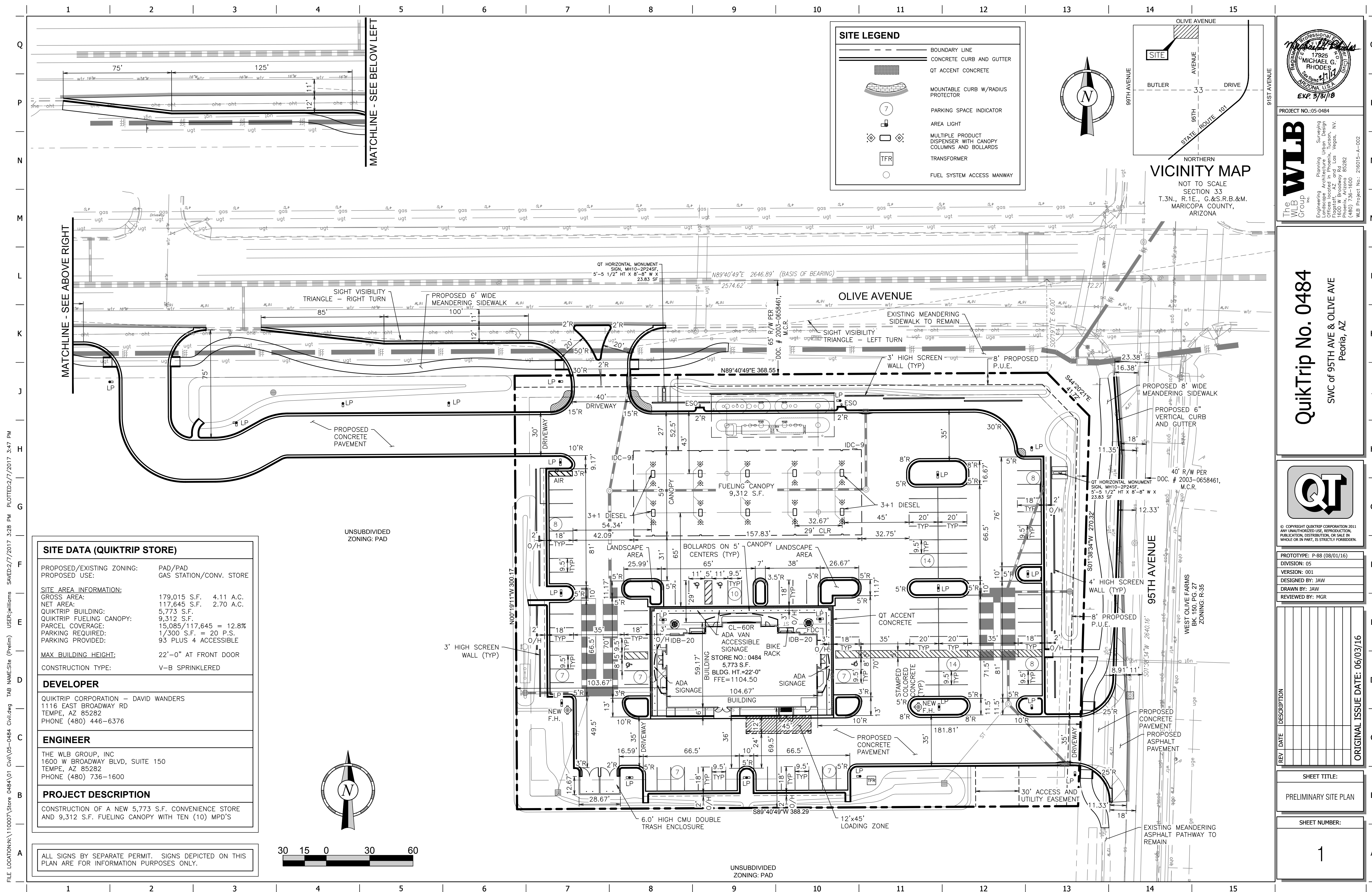
Request: The applicant is requesting a Conditional Use Permit for a gas station use.

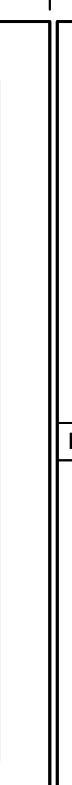
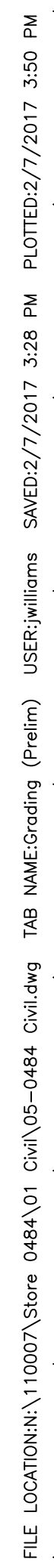
Location: The southwest corner of 95th Avenue and Olive Avenue.

Exhibit B



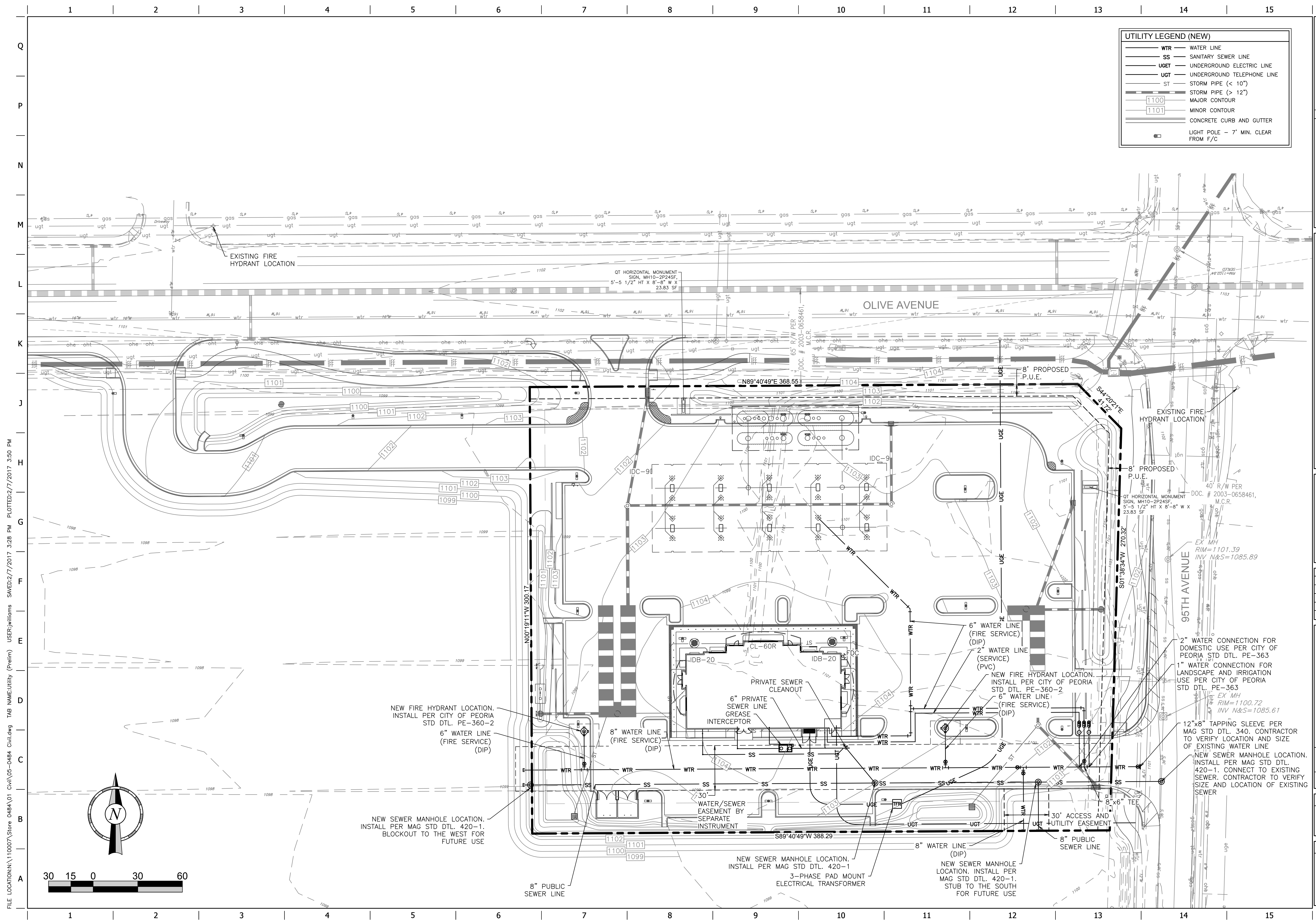
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PROJE

WLB
The WLB Group

WLB Project No.: 216015-A-002

QuikTrip No. 0484

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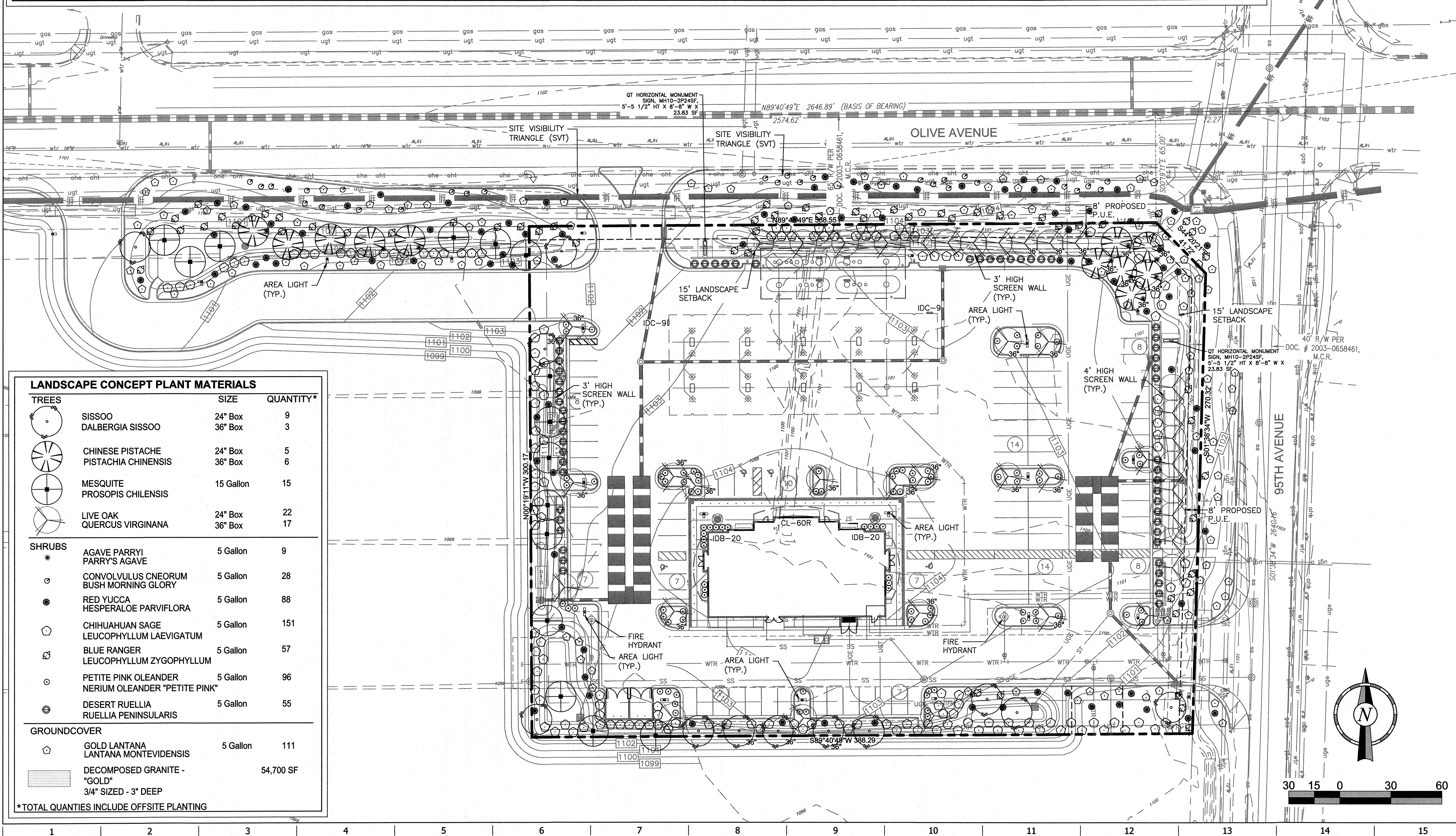
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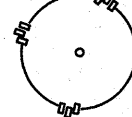
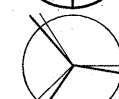
PRELIMINARY UTILITY PLAN

SHEET NUMBER

3

1	2	3	4	5	6	7	8	9	10	11	12	13
LANDSCAPE AREAS	Required	Provided		PLANT QUANTITIES	Required	Provided		TOTALS	Required	Provided		
A. On-Site Landscape Areas [14-35-4.A.1]				On-Site Landscape Areas [14-35-4.A.1.a]				Total landscape Areas (A + B + C)	21,567 sq. ft	35,716 sq. ft		
1. Overall On-Site	21,567 sq. ft	35,716 sq. ft		Multi-Family and Non-Residential				Total Trees (D + F + H + J)	67 trees	72 trees		
• Industrial: 10% of Net Site Area**				D. Trees: 1 per 400 sq. ft. of req. landscaping (see A.1) (54 Trees Required)	45 trees	45 trees		Total 24" Box Trees (50% of total required trees)	40 trees	40 trees		
• Multi-Family: 20% of Net Site Area**				per [14-35-4.B.1.] 27 / 1.5 = [18 Trees] - (27) 24" Box and (18) 36" Box ²				Total Shrubs (E + G + I + K)	400 shrubs	420 shrubs		
• Commercial/Other Non-Residential: 20% of Net Site Area**				E. Shrubs: 5 per 400 sq. ft. of req. landscaping (see A. 1)	270 shrubs	290 shrubs						
(** Net out land use buffer & school play fields, if applicable [C])				Schools				GENERAL NOTES				
B. Street Frontage Buffer [14-35-4.A.2]				F. Trees: 1 per 800 sq. ft. of req. landscaping (see A. 1)	n/a trees	n/a trees		1. Turf (lawn) is limited to a maximum of 20% of the site area.				
1. Commercial/ Multi-Family: 15' wide strip (on-site) along street frontage	654 lf. ft	654 lf. ft		G. Shrubs: 1 per 800 sq. ft. of req. landscaping (see A. 1)	n/a shrubs	n/a shrubs		2. A development may substitute a 36" Box or larger tree in place of a 15 Gallon tree at a substitution rate of 1.5 trees for every required (15) Gallon tree.				
2. Schools: 15' wide strip (on-site) along arterial street frontage / 10' others	n/a lf. ft	n/a lf. ft		Street Frontage Buffer Plantings [14-35-4.A.2]				3. All landscaped areas shall be supported by an automatic irrigation system which may be spray, flood or drip system.				
3. Industrial: 10' wide strip (on-site) along street frontage	n/a lf. ft	n/a lf. ft		H. Trees: 1 per 25 (in.ft. of street frontage) ⁵ (26 Trees Required)	22 trees	27 trees		4. Plant materials utilized in landscaped areas in the ROW must be included on the most recent edition of the Phoenix Active Management Area Low Water Use / Drought Tolerant Plant List.				
C. Land Use Buffer [14-35-4.A.3]				per [14-35-4.B.1.] 13 / 1.5 = [9 Trees] - (13) 24" Box and (9) 36" Box ²				5. The Property Owner and/or Lessee shall be responsible to install/maintain all landscaping within the Right-of-Way (landscaping within ROW will count towards Street Frontage Buffer Planting requirements).				
1. O-1 /C-1 Districts abutting all residential districts: 20' wide	n/a sq. ft	n/a sq. ft		I. Shrubs: 5 per 25 lin.ft. of street frontage ⁵	130 shrubs	130 shrubs		6. A 3 foot clear space is required around all fire suppression equipment. No plants may be installed that will encroach when mature.				
2. Other Non-Residential Districts abutting all residential districts: 30' wide	n/a sq. ft	n/a sq. ft		Land Use Buffer Plantings [14-35-4.A.3]								
3. Multi-Family Districts abutting single-family districts: 20' wide	n/a sq. ft	n/a sq. ft		J. Trees: 3 per 1,000 sq.ft. of required buffer area (24" Box min.)	n/a trees	n/a trees						
				K. Shrubs: 5 per 1,000 sq.ft. of required buffer area (5 Gallon min.)	n/a shrubs	n/a shrubs						



LANDSCAPE CONCEPT PLANT MATERIALS			
TREES		SIZE	QUANTITY*
	SISSOO	24" Box	9
	DALBERGIA SISSOO	36" Box	3
	CHINESE PISTACHE	24" Box	5
	PISTACHIA CHINENSIS	36" Box	6
	MESQUITE	15 Gallon	15
	PROSOPIS CHILENSIS		
	LIVE OAK	24" Box	22
	QUERCUS VIRGINANA	36" Box	17
SHRUBS			
	AGAVE PARRYI PARRY'S AGAVE	5 Gallon	9
	CONVOLVULUS CNEORUM BUSH MORNING GLORY	5 Gallon	28
	RED YUCCA HESPERALOE PARVIFLORA	5 Gallon	88
	CHIUHUAHUA SAGE LEUCOPHYLLUM LAEVIGATUM	5 Gallon	151
	BLUE RANGER LEUCOPHYLLUM ZYGOPHYLLUM	5 Gallon	57
	PETITE PINK OLEANDER NERIUM OLEANDER "PETITE PINK"	5 Gallon	96
	DESERT RUELLIA RUELLIA PENINSULARIS	5 Gallon	55
GROUND COVER			
	GOLD LANTANA LANTANA MONTEVIDENSIS	5 Gallon	111
	DECOMPOSED GRANITE - "GOLD" 3/4" SIZED - 3" DEEP		54,700 SF
*TOTAL QUANTIES INCLUDE OFFSITE PLANTING			

PROJECT NO.: 05-0484

The

WTLB

Ground

H&M

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WLB Project No.: 216015-A-002

QuikTrip No. 0484
SWC of 95TH AVE & OLIVE AVE
Peoria, AZ



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DRAWN BY: JAW
REVIEWED BY: MGR

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Conditional Use Permit Project Narrative

QuikTrip #484 **SWC of 95th Avenue and Olive Avenue** **Peoria, Arizona**

1. Project Description

QuikTrip Corporation (“QT”) is developing approximately 2.70 net (4.11 gross) acres of real property located at the southwest corner of 95th Avenue and Olive Avenue in Peoria, Arizona (the “Site”). A Vicinity Map and Aerial Map of the Site are provided at **Exhibit 1** and **Exhibit 2**, respectively. QT requests a Conditional Use Permit (“CUP”) to allow the development of a new QT “Gen III” Convenience Store and Gas Station (“QT Store”) on this vacant, underutilized Site. An Aerial with QT’s Conceptual Site Plan shown is provided at **Exhibit 3**. The new QT Store will revitalize this vacant Site with QT’s new Gen III concept. The QT Store will serve a variety of fresh made foods and drinks from a “full service counter” including pizzas, flatbread sandwiches, quesadillas and kolaches. Specialty coffee drinks, espressos, shakes, smoothies, and ice cream cones will be offered as well.

2. Conformance with the General Plan

Below is a summary of several of the City of Peoria General Plan Goals and Policies that support QT’s CUP request:

Land Use Element, Policy 1.B.1: *Work to enhance commercial activity by attracting, retaining, and expanding those developments, which improve economic conditions in Peoria.*

This CUP request allows QT to expand its business operations and product offerings with its new “Gen III” Store, which will further improve economic conditions in the area and provide a convenient place for residents within the area to stop for food and refreshments.

Land Use Element, Objective 1.H: *Encourage the development or redevelopment of vacant or underutilized infill sites within the City.*

Developing this vacant and underutilized infill Site with a QT “Gen III” Store will provide Peoria residents who live in the area and other regional visitors traveling along the Loop 101 a convenient option to stop for food, refreshments, and gas for their vehicles. Developing this Site will also clean up, provide beautiful landscaping, and provide a sustainable use on this underutilized vacant property.

Revitalization and Redevelopment, Goal 1: *Create an attractive, vibrant and sustainable community within mature areas of the City.*

The proposed QT Store will provide an attractive, vibrant and sustainable use on this vacant Site that is zoned for commercial uses. The QT Store will likely act as a catalyst for future development opportunities on this vacant corner.

3. Compliance with Site's Zoning

The Site is within the La Jolla Landing PAD. The La Jolla Landing PAD permits C-2 uses on the Site. The City's C-2 Zoning District allows gas stations with a CUP. This CUP request will permit the QT Store to be developed on the Site and the QT Store will comply with all the zoning regulations within the La Jolla Landing PAD.

4. QT's Compatibility with Surrounding Area

The Site is located at the southwest corner of 95th Avenue and Olive Avenue. See Aerial at **Exhibit 2**. The Site is surrounded on the west and south by the La Jolla Landing PAD property, which permits C-2 commercial uses. Existing residential homes border the south boundary of the La Jolla Landing PAD property, which are located a significant distance away from the south boundary of the QT Site. There is an existing outdoor storage facility located adjacent to the La Jolla Landing PAD property's west boundary, which is also a significant distance away from the west boundary of the QT Site. The existing outdoor storage facility is zoned C-3 for more intense commercial uses than the La Jolla Landing PAD allows. Olive Avenue is located north of the Site and there are C-2 (vacant) and RM-1 (existing townhouses) zoned properties located on the north side of Olive Avenue, across the street from the Site. 95th Avenue is located east of the Site and there are R-35 (existing residential homes) zoned properties located east of 95th Avenue, across the street from the Site.

5. Site Design

The proposed QT development will include the construction of a new 5,773 +/- square building with 10 fuel stations covered by a canopy. A Conceptual Site Plan is attached at **Exhibit 4**. Ingress and Egress to the Site will occur at three separate locations. There are two points of ingress/egress to and from Olive Avenue and one point of ingress/egress to and from 95th Avenue. Onsite circulation and parking has been designed to provide a safe and convenient customer experience. The QT Store faces north towards Olive Avenue, and the building is located on the west portion of the Site to provide the appropriate separation from the existing residential uses located east of 95th Avenue.

The customer parking experience is very important to QT. Parking is provided along three sides (north, south and east) adjacent to the building to allow easy access for customers. Parking is also available along the west and south perimeters of the Site and within an area on the east portion of the Site. Fuel deliveries will occur on the north side of the fuel station canopy, away from customer areas. The Vendor delivery area is located at the rear of the building, proximate to the south side of the Site. Locating the Vendor delivery area at the south side of the building places the delivery trucks away from the flow of customers. Further, screen walls have been placed along the north, west and east sides of the Site.

The Site has been designed with durable materials. Concrete will be used on all paved surfaces of the Site. QT prefers concrete to asphalt because it is a much more durable material and more appealing than asphalt. Further, compared to asphalt, concrete creates less of a “heat island effect.” The Site’s design is a direct result of QT’s commitment to a great customer experience and neighborhood compatibility.

6. Building Design

QT’s new Gen III Store provides architectural articulation on four sides of the building, adding character to the building and Site. Conceptual Elevations of the Building and Fuel Station Canopy are provided at **Exhibit 5**. The building and fuel station canopy include a variety of material types and earth tone colors to provide visual and textural contrast and appeal. The primary building materials consist of masonry, tile, and brushed aluminum cornice along the roof lines. The windows are shaded to reduce heat gain and increase energy efficiency within the QT Store.

The fuel station canopy is designed to match the architecture of the QT Store. The Fuel Station Canopy is supported by masonry columns and the solid face of the canopy fascia will be broken up by four offsets, providing horizontal articulation and enhanced architectural styling. QT button signs will be located on the north and west sides of the canopy.

7. Landscape Theme

The landscape theme incorporates various types of desert themed trees, shrubs and groundcovers. A Conceptual Landscape Plan is provided at **Exhibit 6**. The trees include Sissos, Chinese Pistache, Mesquite, and Live Oak Trees. The bushes and ground cover are various types of desert succulents and other low water usage plants. There is landscaping provided on all sides of the Site and within various parking lot islands.

8. Signage

One freestanding monument sign will be located proximate to the northeast corner of the Site and one freestanding monument sign will be located along Olive Avenue on the east side of the eastern most drive-way to the Site. A Comprehensive Sign Plan will be submitted separate from this CUP request.

9. Hours of Operation

The QT Store will operate 24 hours per day, Sunday through Saturday.

Our project team will consist of the following:

<u>Developer</u> QuikTrip Corporation Attn: David Wanders, Project Manager 1116 E. Broadway Road Tempe, AZ 85282 (480) 446-6322	<u>Architect</u> KDG Architects Attn: Kim Filuk 300 W. Clarendon, Suite 300 Phoenix, AZ. 85013 (602) 234-1868
<u>Local Civil Engineer</u> WLB Engineers Attn: Michael Rhodes 1600 West Broadway Road Tempe, AZ 85282 (480) 736-1600	<u>Civil Engineer</u> QuikTrip Corporation Attn: Colin Potter 4705 S. 129 th East Avenue Tulsa, OK 74134-7008 (918) 615-7159
<u>Traffic Engineer</u> Michael Baker Intl. Attn: Natalie Carrick 2929 N. Central Ave., Suite 800 Phoenix, AZ 85012 (602) 308-8816	<u>Legal</u> Burch & Cracchiolo, P.A. Attn: Brian Greathouse 702 E. Osborn Road Phoenix, Arizona 85014 (602) 234-9903