



# PLANNING & ZONING COMMISSION

## STAFF MEMORANDUM

Meeting Date: 10/17/2024

Agenda Item: 3R

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**TO:** Planning and Zoning Commission

**THROUGH:** Chris M. Jacques, AICP, Planning Director

**FROM:** Robert Kuhfuss, AICP, Senior Planner

**SUBJECT:** Cibola Vista Self-Storage  
Northwest Corner of Lake Pleasant Parkway and Cibola Vista Drive

### ***PROPOSAL***

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The applicant is requesting a Conditional Use Permit (CUP) to operate a Self-Storage facility on a vacant 2.2-acre site located at the northwest corner of Lake Pleasant Parkway and Cibola Vista Drive.

### ***APPLICATION INFORMATION***

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**Case Numbers:** Conditional Use Permit (CU22-08)

**Applicant:** Taylor Earl of Earl & Curley, on behalf of Abernathy Holdings, LLC

**Requests:** Approval of a Conditional Use Permit (CUP) to allow for the construction of a new Self-Storage Facility.

### ***BACKGROUND AND CONTEXT***

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The subject site is approximately 2.2 acres, consisting of vacant land that is part of the Cibola Vista Planned Area Development (PAD) (**Exhibit 2**).

#### **CONTEXT:**

The subject site is a triangular shaped property, and bounded on the west by a single-family subdivision (Pleasant Valley Estates). To the north is a single undeveloped commercial parcel that is part of the West Wing Planned Community District (PCD) Zoning District. The east side of the site is bounded by Lake Pleasant Parkway, which is designated as a limited access parkway. Lake Pleasant Parkway runs at an angle from southwest to northeast at this location thereby creating the triangular shape of the subject site. Directly east of Lake Pleasant Parkway is the northern extent of the Cibola Vista resort, and a vacant commercial parcel that is part of the Cibola Vista PAD (**Exhibit 2**).

### ***APPLICANT'S PROPOSAL***

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The applicant is requesting approval of a Conditional Use Permit for a Self-Storage Facility. The applicant is proposing a 92,157 square foot facility within a three (3) story building consisting of two (2) floors above-ground and one (1) basement level (below ground). With a floor situated below grade, the top of the building parapet will be twenty-five (25) feet above grade, which effectively places the building height below what is permitted in the adjacent single-family neighborhoods at 30 feet. Office hours will be from 9:30 AM to 6:00 PM Monday through

Friday, and 9:30 AM to 5:00 PM Saturday and Sunday. Move-in and access hours will be from 6:00 AM to 9:00 PM daily (Exhibit 3).

**DEVELOPMENT INFORMATION:**

|                          |                              |
|--------------------------|------------------------------|
| <u>Existing Use:</u>     | Vacant                       |
| <u>Proposed Use:</u>     | Self-Storage Facility        |
| <u>Property Size:</u>    | 2.2 acres (approximately)    |
| <u>Required Parking:</u> | 17 spaces                    |
| <u>Provided Parking:</u> | 17 spaces + 2 loading berths |

**STAFF ANALYSIS**

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**ZONING HISTORY AND PROPERTY DEVELOPMENT:**

The subject property was annexed from Maricopa County on November 14, 1989, under *Ordinance #89-34*, and has remained vacant since. The City Council approved the original Planned Area Development (PAD) for Cibola Vista on May 1, 2001, under case Z00-10.

**APPLICABILITY:**

The subject site is part of the Cibola Vista Planned Area Development (PAD) and is designated for Retail Commercial uses by the PAD. More specifically, the PAD Standards and Guidelines Report indicates that uses within this Retail Commercial portion of the development are allowed in accordance with the City’s Intermediate Commercial (C-2) zoning district.

The proposed use is analogous to *Self-Storage, Indoor or Drive-Up* which is conditionally permitted in the C-2 zoning district. The City of Peoria Zoning Ordinance also prescribes Special Limitations outlined in Section 21-505.D.1 of the Peoria Zoning Ordinance, which are discussed more specifically in the Special Limitations section of this staff report.

**CONDITIONAL USE PERMIT ANALYSIS:**

The purpose of a Conditional Use Permit is to ensure that the physical and operating characteristics inherent with the land use have been sufficiently resolved or mitigated, optimizing compatibility with the surrounding area, and that the use is not injurious to the health, safety, and general welfare of the community.

*Review Criteria:*

Section 21-321 of the Peoria Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. The Planning Department must review applications and make a recommendation for approval or denial to the Planning and Zoning Commission based on the following criteria:

1. Whether the use is designated as a permitted Conditional Use within the zoning district in which the property is located.

2. Whether the use meets the locational and development standards provisions, as applicable for the Conditional Use Permit, for the zoning district in which the property is located.
3. Whether the use is consistent with the goals, policies, and intent of the General Plan and any adopted Specific Plan applicable to the site where the proposed use is located.
4. Whether the use is consistent with documentation and recommendations provided by reviewing City Departments.
5. Whether the use complies with all applicable City Codes, standards, and guidelines governing such use.
6. Whether the use will be materially detrimental to the health, safety, or general welfare of persons residing or working in the vicinity of the property, to the neighborhood, or to the public welfare; or if the use will unreasonably interfere with the use and enjoyment of nearby properties. Consideration shall include, but not be limited to the following factors:
  - a. Damage or nuisance arising from noise, smoke, odor, dust, vibration, or illumination;
  - b. Impact on surrounding areas resulting from an unusual volume or character of traffic;
  - c. Ingress and egress to the property and proposed structures;
  - d. Pedestrian and vehicular circulation with particular reference to fire protection;
  - e. Parking and loading; and
  - f. Impact on public services, including schools, utilities, and recreation.
7. The Planning Manager may not approve or recommend approval of any Conditional Use Permit unless the Department has received a Waiver of Proposition 207 from the Owner(s) of the property that is the subject of the Conditional Use Permit or has determined that the absence of such a Waiver of Proposition 207 is consistent with the City's General Plan and zoning goals and regulations.

**SPECIAL LIMITATIONS:**

Over the course of the project duration, regulations associated with Self-Storage within the City of Peoria Zoning Ordinance have been changed through a Zoning Ordinance Text Amendment for Self-Storage Facilities (Ord 2024-05). As a result, the regulations at the time of this application were different than those regulations applicable to such facilities found in the Zoning Ordinance today.

At the time of adoption of the revised standards, special care was taken to identify within the provisions of the adopting ordinance that any applications in process at the time of the amendment would not be subject to the new regulations. As a result, the applicable *Limitations on Use* are noted below and staff's findings are identified within italics:

1. Mini-storage warehouses, RV, Boat, and Trailer Storage, indoor and/or screened, shall be subject to the following additional requirements:
  - a. For the purposes of this Section, an outdoor RV, Boat and Trailer Storage use shall be visibly screened from a public street by an architecturally integrated wall or structure consisting of a minimum height of ten (10) feet, or as otherwise approved by the Planning and Zoning Commission. Additional screening from elevated roadways may be required, such as canopies, berming, or other design solutions.

*This is an indoor self-storage facility, in which all operations are internalized to the building. As such this criteria has been met.*

- b. Doors of the storage areas shall not front on any public street.

*As identified within the conceptual elevations shown in Exhibit 5, no "storage area" doors are visible to the public, and as such, this criteria has been met.*

- c. Only storage shall be permitted. No sale of goods, materials or other tangible or intangible property from the facility or any part thereof shall be permitted. No activities conducted on the premises, whether related to the stored items or otherwise. The sale of insurance by the operator on goods stored therein or the sale by the operator of items used in connection with the storage of goods at the site shall not be prohibited.

*This provision will be addressed within the site plan application, and monitored throughout the duration of the project. As such, this criteria has been met.*

- d. No hazardous or flammable materials, as defined in the Peoria City Building Code, shall be stored in such facility.

*This provision will be addressed within the site plan application, and monitored throughout the duration of the project. As such, this criteria has been met.*

- e. The City may exempt any structure from side and rear yard setbacks, except in circumstances where the site devoted to such use abuts a residential use or residentially-zoned vacant property. In such cases, the setback for the site boundary abutting the residential district shall be no less than thirty (30) feet.

*As identified within the conceptual elevations shown in Exhibit 5, a minimum thirty (30) foot building setback has been provided. As such, this criteria has been met.*

**OPERATIONAL CHARACTERISTICS:**

*Hours of Operation:*

The facility will observe the following hours of operation:

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|---------------------|-----------------------|--------------------|
| <b>Office Hours</b> | Monday through Friday | 9:30 AM to 6:00 PM |
|                     | Saturday and Sunday   | 9:30 AM to 5:00 PM |

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|                                 |       |                    |
|---------------------------------|-------|--------------------|
| <b>Move-in and Access Hours</b> | Daily | 6:00 AM to 9:00 PM |
|---------------------------------|-------|--------------------|

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*Vehicle Access:*

The facility will be served by a single point of access from Lake Pleasant Parkway. This access will consist of right-in and right-out only turning movements; meaning there will be no left-in or left-out movements to or from the subject site. While the applicant will construct a right-turn deceleration lane to serve the facility, there will be no median break at this location, hence no left-turn movements into or out of the facility (**Exhibit 4**).

*Parking:*

The proposed storage facility will consist of 693 units and 470 square feet of office space. Section 21-825.B.2 of the Peoria Zoning Ordinance requires one (1) parking space for every 50 storage units plus one (1) parking space for every 200 square feet of office floor area. This would result in a minimum of 17 parking spaces required for the site. The applicant seeks to provide 17 parking spaces as well as 2 loading spaces (**Exhibit 4**).

*Pedestrian Access:*

An existing sidewalk extends from the south up to approximately the midpoint along the Lake Pleasant Parkway street frontage. The applicant will extend the public sidewalk north along the Lake Pleasant Parkway frontage to the northern boundary of the subject site. Pedestrian access to the facility will extend from the city sidewalk to the main building (**Exhibit 4**).

*Architecture:*

The building by incorporates design elements on all four façades of the building and seeks to mimic elements present in the nearby residential design that exists in the area. Building design is discussed further in a subsequent section of this report as it relates to citizen comments.

*Outdoor Lighting:*

The applicant has provided an outdoor lighting plan which demonstrates compliance with the City's outdoor lighting standards. To minimize the impact of lighting on the neighboring residential properties, the applicant will utilize low-level bollard lighting along the emergency pedestrian egress route located between the building and the west wall (shared with Pleasant Valley Estates subdivision). There will be a wall-mounted light at each of the four (4) egress doors in keeping with building code egress requirements; however, these will be equipped with motion sensors and time-delay shut-off, to minimize impacts to the surrounding property owners. The proposed parking lot lighting will be lower than the permissible height of 16 feet at 15 feet in height and will be directed down and / or away from the neighboring properties (**Exhibits 4 & 5**).

*Screening and Buffering:*

The Site Plan and Landscape Plan reflects a 30-foot setback and associated landscape buffer between the west side of the proposed building and the existing single-family subdivision to the west as required by Section 21-505.D.1, and 21-818 of the Peoria Zoning Ordinance. This landscape buffer will be landscaped with minimum 24-inch box trees thereby creating a tree canopy to aid in the screening of the facility. Since the subject site, is adjacent to Lake Pleasant Parkway, it is required to include a 30-foot wide street frontage landscape area along Lake Pleasant Parkway in accordance with Section 21-819 of the Peoria Zoning Ordinance and Chapter 4 of the Peoria Community Design Guidelines with respect to the Lake Pleasant Scenic Corridor.

**CONTINUING JURISDICTION:**

If any issues arise regarding the operation of the business, Section 21-321.I of the Peoria 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 may be revoked, modified, or suspended should any of the following occur:

1. The permit was obtained by fraud or misrepresentation;

2. The use authorized by the permit has been exercised in violation of the conditions of its approval;
3. A change in circumstances consisting of any of the following has occurred:
  - a. Impacts from the approved conditional use to neighboring properties.
  - b. Changes in aesthetic or environmental impacts such as noise, odors, or pollution.
4. The use authorized by the permit has been exercised in a manner that is detrimental to the public health, safety, or welfare of the community or in a manner that constitutes a nuisance to neighboring property owners, adjacent neighborhoods, or the City.
  - a. Notice and a public hearing shall be provided in the same manner as for Conditional Use Permit applications.

### ***COMMUNITY INVOLVEMENT***

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#### *Public Noticing:*

The application was properly noticed pursuant to Section 21-315 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOAs within one (1) mile, posting of a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

#### *Outreach Requirements:*

Within the first 21 days of the notice of application, City staff received opposition to the proposal. This opposition triggered the requirement for an outreach meeting, which was held on January 25, 2023, at the West Wing Mountain Community Center. In advance of the meeting, the former applicant notified all property owners within a 600-foot radius of the site and all registered Homeowners' Associations within one (1) mile.

Several neighboring property owners attended the meeting, in addition to the development team for the project, as well as City staff. The applicant team presented the details of the proposed project to the attendees and answered questions presented by the neighboring residents. Issues of concern included traffic, building heights / blocked views, design aesthetics, property values, crime, incompatible uses, and leaf litter (**Exhibit 7**).

In response to neighbor concerns, the applicant team, worked with City staff to refine the site design. Refinements included a reduction in building height, the use of non-reflective glass for the faux windows, changes to the overall design aesthetics, the use of trees with minimal leaf litter, and relocation of the air conditioning units to the east side of the building. Subsequent to the proposed changes, the applicant team held a 2<sup>nd</sup> neighborhood meeting following the same notification procedures identified above. The applicant presented those changes during the second outreach meeting held on August 14, 2024, at the West Wing Mountain Community Center from 5:00 – 7:00pm (**Exhibit 7**).

#### *Support / Opposition:*

Prior to the second outreach meeting, 101 individuals expressed opposition to the project, with eight (8) additional commentors not identifying a stance on the proposal. There were no items of support during the early stages of the outreach. Since the redesign and subsequent outreach meeting, staff has received one (1) letter which contained numerous review comments regarding the site. The applicant has since refined the design in an effort to address these comments to the extent practical. Staff has received no other items of support or opposition, although several individuals did inquire as to the status of the project (**Exhibit 8**).

***KEY FINDINGS***

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1. The subject site is located within the Retail Commercial portion of the Cibola Vista Planned Area Development (PAD).
2. The Cibola Vista PAD allows permitted and conditionally permitted uses consistent with the Intermediate Commercial (C-2) zoning district, as outlined in the Peoria Zoning Ordinance, within the Retail Commercial portion of the PAD.
3. The City Council adopted Zoning Ordinance Text Amendment (Ord. 2024-05) regarding Self-Storage facilities which allowed for those facilities in process at the time of the text amendment to utilize the ordinance in place prior to the ordinance adoption.
4. The proposal meets the requisite Limitations on Use standards within Section 21-505 of the City of Peoria Zoning Ordinance.
5. When operated in accordance with the recommended conditions of approval, the use is not expected to have an impact on adjacent properties.
6. On behalf of the owner, the applicant has submitted a signed and notarized Proposition 207 waiver, which will be recorded with the conditions outlined below.

***RECOMMENDATION***

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

**Approve the Conditional Use Permit for Case CU22-08, subject to the Conditions of Approval identified in Exhibit 1.**

***STAFF CONTACT***

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