

Chair
Clay Allsop

Vice-Chair
Tony Feiter

Secretary
Linda Grice

Member
Shawn
Hutchinson

Member
Jeff Nelson

Member
Joysaphine
Waitman

Member
Robyn
Uptegraff

Planning and Zoning Commission Meeting Notice & Agenda

Thursday, December 8, 2022
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345



Special Meeting 6:30 PM

Convene
Opening Statement
Roll Call
Final Call to Submit Speaker Request Forms

Consent Agenda

CONSENT AGENDA: All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

Consent

1 C Minutes

Discussion and possible action to approve the minutes of the November 3, 2022 meeting.

Regular Agenda

REGULAR AGENDA: All items listed on the Regular Agenda are considered public hearing items subject to separate discussion and action by the Commission unless indicated otherwise by the Commission Chair or by the agenda item description. The order in which the following items are heard may be altered at the discretion of the Commission Chair.

New Business

2 R Fry's Fueling Center at Marketplace at Vistancia: Conditional Use Permit (CU22-06)

Discussion and possible action pertaining to the issuance of a Conditional Use Permit (CUP) to permit a gas station/fueling center on a vacant 3-acre pad within a proposed 20-acre grocery-anchored commercial center ("Marketplace at Vistancia") located south of the southeast corner of Lone Mountain Parkway and El Mirage Road.

Staff Report

Open Public Hearing

Public Comment

Close Public Hearing

Commission Action

3 R Development Activity Update

Presentation and possible discussion on development activity within the 2022 year and preview of 2023 Planning Department Work Plan with regard to:

- Updating Commission's Administrative Procedures;
- Zoning Ordinance Amendments;
- Annexations;
- Major Development Projects; and
- Development Process Improvements.

Call To The Public (Non-Agenda Items)

Your comments pertaining to the Planning and Zoning Commission business are welcome. However, if you wish to address the Planning and Zoning Commission, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. Boards and Commissions are not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from Staff

4 R Reports

A. Upcoming Commission Meeting Dates

Planning and Zoning Commission Updates and Report of Current Events:

Planning and Zoning Commission members will give updates on relevant events and activities they have attended since the last meeting. These items are for information only - no action will be taken.

Adjournment

NOTE:

Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Board/Commission Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ

85345.

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation and assistive listening devices are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Peoria, Arizona 85345 - Phone: (623) 773-7340 or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request. The City has a TDD line where accommodations may be requested at: (623) 773-7221.*

Public Notice

In addition to the Board/Commission members noted above, one or more members of the Peoria City Council or various other Boards and Commissions may be present to observe this meeting as noticed on this agenda.

Planning and zoning commission meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <https://www.peoriaaz.gov/government/departments/planning-and-zoning/planning-and-zoning-videos>.

PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBERS
NOVEMBER 3, 2022

A Meeting of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe Street, Peoria, AZ in open and public session at 6:30 p.m.

Members Present: Chair Clay Allsop, Vice-Chair Tony Feiter, Secretary Linda Grice, Commissioner Shawn Hutchinson, Commissioner Jeff Nelson, Commissioner Robyn Uptegraff and Commissioner Joysaphine Waitman

Members Absent: None

Others Present: Chris Jacques – Planning Director, Lorie Dever – Planning Manager, Chris Lemka – Traffic Engineer, Cody Gleason – Principal Planner, Robert Kuhfuss – Senior Planner, Sarah Dircks – Planner, Michael Dynes – Assistant City Attorney, and Della Ernest – Executive Assistant

Audience: 8

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

1C **Disposition of Absence**

Discussion and possible action to approve/excuse the absence of Vice-Chair Tony Feiter and Commissioner Robyn Uptegraff from the October 20, 2022 meeting.

2C **Minutes**

Discussion and possible action to approve the minutes of the October 20, 2022 meeting.

COMMISSION ACTION:

Secretary Grice moved to approve the consent agenda as presented. The motion was seconded by Commissioner Waitman and upon vote, passed unanimously 7-0.

REGULAR AGENDA

New Business

3R Casa Blanca Reception Hall: Conditional Use Permit (CU22-01)

Discussion and possible action to obtain a Conditional Use Permit to allow operation of a reception hall within a 20.2-acre commercial center located south of the southwest corner of Peoria Avenue and 67th Avenue.

The staff report was presented by Ms. Sarah Dircks, Planner.

PUBLIC COMMENTS: None

COMMISSION COMMENTS:

Secretary Grice asked how an issued Conditional Use Permit might be revoked.

Mr. Jacques stated that the City has continuing jurisdiction over the CUP and if adherence to the conditions of approval are found to be a chronic problem, and the applicant is unsuccessful in resolving the issue, then the city has the ability to bring the conditional use permit back to the Commission for reconsideration, which could include revocation.

Commissioner Nelson asked if the police department reviewed the request and if any feedback was received.

Ms. Dircks confirmed that all cases are submitted to the police department for review and no feedback was received.

Commissioner Waitman asked if there is an outside event area.

Ms. Dircks stated there is no outside area component to the request, noting that at one time the applicant's intent was to have a horse-drawn carriage as part of opening and closing wedding ceremonies, but has since decided against that component.

Vice-Chair Feiter supports the request however, stated that it is critical that the landlord and property manager adhere to the conditions of approval pertaining to security and maintenance of the property.

COMMISSION ACTION:

Vice-Chair Feiter moved to approve item 3R Case CU22-01. The motion was seconded by Commissioner Hutchinson and upon vote, passed unanimously 7-0.

4R Study Session: Housing and Socioeconomic Trends

Presentation and possible discussion by Mr. Scott Wilken of Maricopa Association of Governments related to housing and socioeconomic trends within the Phoenix Metro Area. This item is for discussion only.

COMMISSION COMMENTS:

Secretary Grice asked if there is anything the Commission can do to promote diversity in apartment and single-family housing.

Mr. Wilken stated that cities are limited in how much that can be done in that realm.

Mr. Jacques commented that the General Plan includes goals and policies calling for a diverse housing stock for all income segments and lifestyle choices and has attempted to reflect a balanced Land Use Plan that advances those elements.

Commissioner Waitman asked for suggestions to educate the community of the domino effect of poverty as it pertains to housing and the importance of multi-family developments.

Mr. Jacques stated that it is a continuing community conversation and educational process, that plays out in a variety of forums including discussions with the Commission, City Council and through the media in terms of trends and changes in our socioeconomic makeup. When staff evaluates a development case, we evaluate the General Plan, and whether the project is a good fit for the area without overriding the rights in the established area, particularly with infill projects.

Mr. Wilken commented that there is a stigma on renters but there is a movement in planning community nationally for something called “missing middle housing”; you have single-family houses and big apartment complexes, the stuff in the middle hasn’t been built in a long time, duplexes and four-plexes.

Commissioner Nelson asked if there were any innovative ideas, solutions that the city should be considering.

Mr. Wilken stated that the Commission is limited by what projects are brought forth to the Commission. Places that have disrupted the single-family component of single-family zoning and have allowed 2, 3 and 4 units in a traditional single-family neighborhood, aren’t seeing a lot of builders offering that type of product. It could change, but developers build apartments and single-family homes.

Call to the Public (Non-Agenda Items): None.

5R Reports from Staff

A. Upcoming Special Events

- Veteran’s Day Celebration at Rio Vista – Friday, November 11th
- 2nd Saturdays at Old Town Peoria – Saturday, November 12th
- Peoria Art & Wine Festival – November 19th and 20th
- Old Town Holiday Festival – Saturday, December 10th

B. Upcoming Commission Meeting Dates

- November 17th meeting is canceled
- Special Meeting on December 8th

Planning and Zoning Commission Updates and Report of Current Events:

Adjournment: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:33pm.

Clay Allsop, Chair

Submitted by Della Ernest

Date

Date



PLANNING AND ZONING COMMISSION REPORT

Meeting December 8, 2022

Date:

Agenda Item: 2R

Case Name: Fry's Fueling Center at Marketplace at Vistancia: Conditional
Use Permit (CU22-06)

General Application Information

Proposal:

A request to obtain a Conditional Use Permit (CUP) to permit a gas station/fueling center on a vacant 3-acre pad within a proposed 20-acre grocery-anchored commercial center ("Marketplace at Vistancia") located south of the southeast corner of Lone Mountain Parkway and El Mirage Road.

Location:

South of the southeast corner of Lone Mountain Parkway and El Mirage Road

Project Acreage:

The subject site is a 3-acre pad within a larger 20-acre center

Applicant:

Carol Park of SEG on behalf of Barclay Group and Smith's Food and Drug Centers

ATTACHMENTS:

Description

Staff Report

Exhibit 1 - Conditions of Approval

Exhibit 2 - Vicinity Map

Exhibit 3 - Context Map

Exhibit 4 - Zoning Map

Exhibit 5 - Project Narrative

Exhibit 6 - Site Plan Excerpt



PLANNING AND ZONING COMMISSION

STAFF REPORT

Date December 8, 2022

To Planning and Zoning Commission

From Robert H. Kuhfuss, AICP
Senior Planner

Subject **Fry's Fueling Center at Marketplace at Vistancia**
Proposed gas station / fueling center affiliated with the grocery store anchor tenant within the proposed Marketplace at Vistancia commercial center.

PROPOSAL

Carol Park of SEG, on behalf of Barclay Holdings XCII and CEC X PIL Liberty LLC (the "Applicant"), is requesting a Conditional Use Permit (CUP) for a vehicle fueling center to be located on a 3-acre pad site within a proposed 20-acre grocery-anchored center. The center is generally located at the southeast corner of Lone Mountain Parkway and El Mirage Road.

APPLICATION INFORMATION

Case Numbers Conditional Use Permit (Case CU22-06)

Applicant Carol Park of SEG on behalf of Barclay Holdings XCII and CEC X PIL Liberty LLC

Request Approval of a Conditional Use Permit (CUP) for a vehicle fueling center affiliated with the Fry's grocery store anchor, within the proposed Marketplace at Vistancia commercial center.

LOCATION AND CONTEXT

SUBJECT SITE

The site is located south of the southeast corner of Lone Mountain Parkway and El Mirage Road. The proposed facility will be located on a 3-acre pad within the proposed Fry's Marketplace at Vistancia commercial center, as shown in Exhibit 2.

CONTEXT

The proposed fuel center will be located within a larger grocery-anchored (Fry's) center in addition to a number of inline shops and restaurants located along the Lone Mountain and El Mirage frontages. The proposed fueling center is associated with the Fry's grocery anchor and will be located in the southwest quadrant of the larger site. A new yet-to-be named street will bound the

larger shopping center site on the east. Primary access to the proposed fueling station will be from El Mirage Road, as well as from the interior of the larger shopping center (see Exhibit 4). The Site Plan, which defines the physical layout of the center (and includes the subject site), is currently under review through Case SP22-10.

The subject site is currently undeveloped land, as are the properties to the south, east and north. Located across El Mirage Road from the subject site is a single-family residential subdivision within the larger Vistancia Master Planned Community. The closest homes to the subject site are located across El Mirage Road at a distance of approximately 180 feet.

APPLICANT'S PROPOSAL

The applicant proposes a vehicle fueling station consisting of ten (10) dual-sided fuel dispensers located under a 9,000 square foot canopy. A 785 square foot kiosk will house an attendant as well as a small selection of retail items such as, but not limited to, ice and snacks. Parking for the larger shopping center will consist of 759 spaces, with not less than 47 spaces available to the fueling center. A pedestrian connection will extend from the kiosk to the main pedestrian walkway to the north of the site. Architecturally, the kiosk and canopy will complement the Fry's grocery store (see Exhibit 5)

DEVELOPMENT INFORMATION

<u>Existing Use:</u>	Vacant, undeveloped land
<u>Proposed Use:</u>	Vehicle fueling center
<u>Property Size:</u>	3.0 net acres (approx.)
<u>Hours of Operation:</u>	Fueling Center: 24/7 Kiosk: Varies

STAFF ANALYSIS

ZONING

Vistancia is a 7,100 acre (11 square miles) master planned community or PCD (Planned Community District). The Planned Community District or "PCD" is a customized alternative zoning district that is intended to accommodate large-scaled, yet unified planned developments.

ZONING HISTORY

The Vistancia PCD was previously comprised of two separate zoning entitlements of Lakeland Village (Vistancia South) and White Peak Ranch (Vistancia North). Vistancia South was originally zoned under Maricopa County in 1998 and annexed into Peoria in 2001. Vistancia North was entitled in 2001 within the City of Peoria. Both entitlements were subsequently consolidated into the single Vistancia PCD entitlement that we have today.

The Marketplace at Vistancia is located within Village D and has a land use designation of Vistancia Mixed-Use (V-MU) and an underlying zoning classification of V-MU. Accordingly, in the V-MU district, gas stations and fueling centers are permitted with the issuance of a Conditional Use Permit (CUP).

APPLICABILITY

The Marketplace at Vistancia is located on Parcel D-5 within Village D and has a land use designation of Vistancia Mixed-Use (V-MU) and an underlying zoning classification of V-MU. Accordingly, in the V-MU district, gas stations and fueling centers are permitted with the issuance of a Conditional Use Permit (CUP).

CONDITIONAL USE PERMIT

The purpose of the Conditional Use Permit is to ensure that certain specified uses, by nature of their physical or operational characteristics, or impact on the traffic of adjoining streets, can be designed and developed in a manner that promotes compatibility with the surrounding area, consistency with the Peoria General Plan, 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 and Community Development 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 shall 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

Additionally, the Vistancia PCD points to references from the Peoria Zoning Ordinance pertaining to limitations in use for fueling stations. Staff responses to those special limitations as they apply to the subject site are identified in *italics*:

4. Gas Service Stations shall be subject to all of the following additional requirements:
 - a. Minimum frontage of one hundred-eighty (180) feet on one arterial street is required.
 - *The proposed facility will have in excess of 320 feet of arterial frontage.*
 - b. 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: twenty-five (25) feet.
 - *The fuel canopy will be not less than 200 feet from a residential property line.*
 - 2) The minimum side and rear building setbacks including canopies, from a property line abutting a non-residential zoning district: ten (10) feet.
 - *No building will be within 130 feet of a non-residential property line.*
 - 3) The minimum street setback for buildings, including canopies: twenty-five (25) feet.
 - *The closest building will be approximately 80 feet from the closed property line.*
 - 4) All fuel pump mechanism and any accessory equipment dispensing fuel shall be covered by canopies.
 - *All fuel dispensers will be located under a canopy.*

COMPLIANCE

Fueling centers, per se, do not necessarily generate parking demand as the use is transitory by nature; however, the associated kiosk, which is a retail venue in and of itself will generate a

parking demand of three (3) standard parking spaces and one (1) accessible parking space. As noted previously, however, the proposed fueling station includes adequate parking.

Access to the site will occur via two (2) driveways located on El Mirage Road for the larger commercial center. The southernmost driveway on El Mirage Road will be right-in / right-out only, while the northernmost driveway will also accommodate left-in turning movements. Both of these main driveways will lead to a secondary drive that provides direct access to the fueling center and associated kiosk.

The subject site meets locational requirements as outlined in the Vistancia PCD. The nearest residential structure is located across El Mirage Road, which is a major arterial roadway, and is greater than the 25-foot required separation distance outlined in the PCD. Outdoor lighting associated with the canopy will be recessed into the ceiling of the canopy and will utilize lighting fixtures equipped with directional LEDs in order to minimize impacts associated with lighting. While the facility will be open 24/7, the kiosk will have limited hours that have not yet been established. When operated in accordance with the recommended conditions of approval, the use is not expected to disrupt other nearby uses.

If any issues arise regarding the operation of the business, Section 21-321.I 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 Conditional Use 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.

COMMUNITY INVOLVEMENT

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.

Support / Opposition

At the time of this writing, the City has not received any correspondence in support or opposition to this request. Since there was no opposition to the request, the applicant was not required to host an outreach meeting.

KEY FINDINGS

1. The proposal meets the Conditional Use Permit standards and meets the above referenced special limitations as identified within the Vistancia PCD.
2. When operated in accordance with the recommended conditions of approval, the use is not expected to disrupt other nearby uses and is consistent with the character of the area.
3. 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.

PROPOSITION 207

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.

RECOMMENDATION

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

APPROVE the Conditional Use Permit under Case CU22-06, subject to the Conditions of Approval as outlined in Exhibit 1.

STAFF CONTACT:

Robert H. Kuhfuss, AICP
Senior Planner
623-773-7643
robert.kuhfuss@peoriaaz.gov

CU22-06 Fry's Marketplace Fuel Center at Vistancia

South of the southeast corner of Lone Mountain Pkwy and El Mirage Rd



The Conditional Use Permit request for the above-mentioned property is subject to the following Conditions of Approval in order to protect the public health, safety, welfare, and the City of Peoria:

1. The use shall substantially conform to the Project Narrative (Exhibit 3), and Site Plan (Exhibit 4 – Except as otherwise refined through Site Plan SP22-10), as contained in the staff report to the Planning & Zoning Commission dated December 8, 2022.
2. In accordance with Section 21-321.B of the Peoria Zoning Ordinance, the Conditional Use Permit will expire on June 8, 2024 if the use has not commenced, or a building permit has not been obtained.

CU22-06: Fry's Marketplace Fuel Center at Vistancia

South of the southeast corner of Lone Mountain Pkwy and El Mirage Rd



CU22-06: Fry's Marketplace Fuel Center at Vistancia
South of the southeast corner of Lone Mountain Pkwy and El Mirage Rd

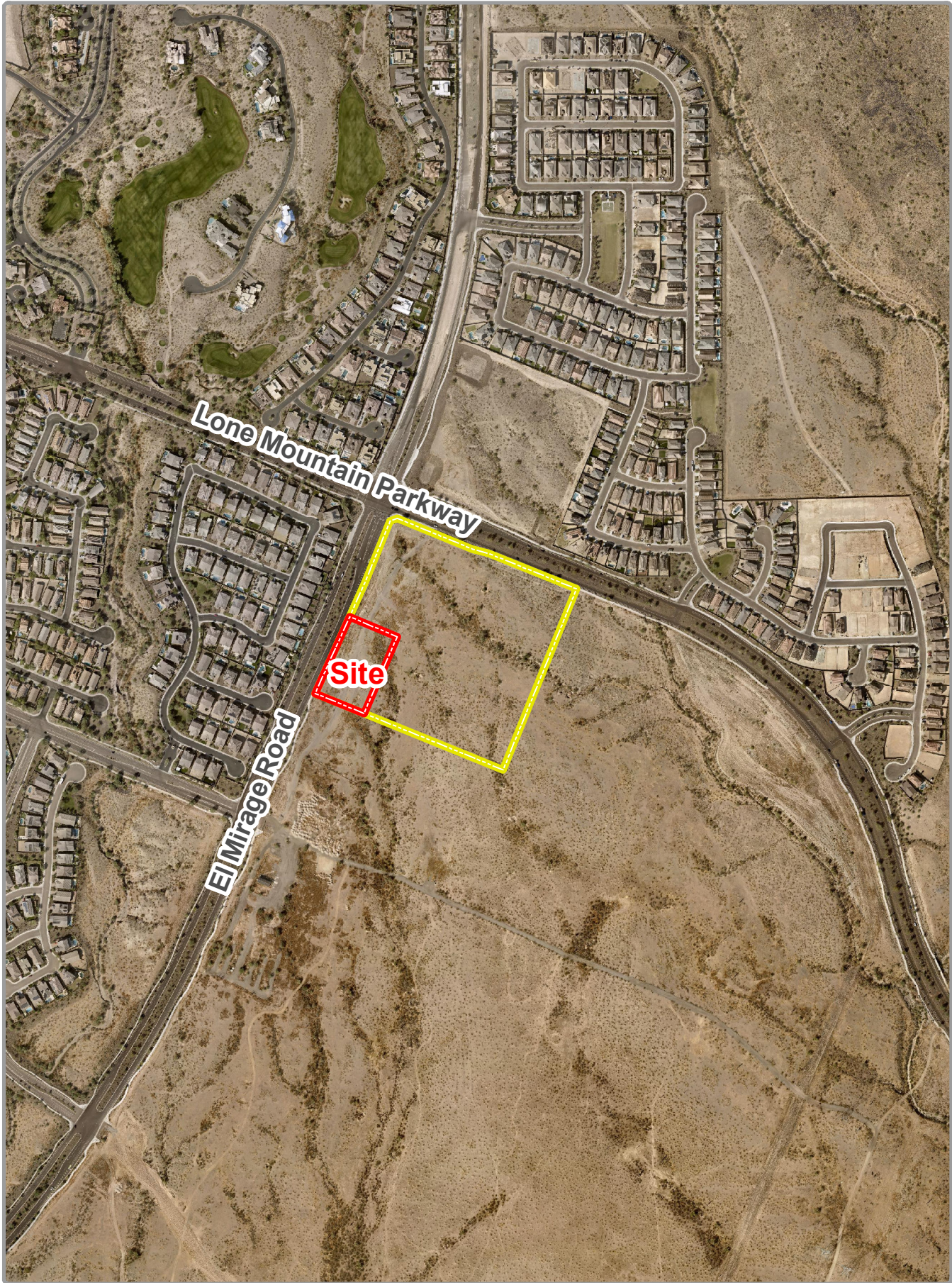


Exhibit 3 | Context Map

CU22-06: Fry's Marketplace Fuel Center at Vistancia

South of the southeast corner of Lone Mountain Pkwy and El Mirage Rd



CU22-06 Fry's Marketplace Fuel Center at Vistancia

South of the southeast corner of Lone Mountain Pkwy and El Mirage Rd



Marketplace at Vistancia Fueling Station

Project Narrative

Fuel Center Conditional Use Permit (CUP) Application

CU22-06

SEC North El Mirage Road & West Lone Mountain Parkway

APN No. – 510-08-936A & 510-08-936B

April 05, 2022

UPDATED: September 13, 2022

OWNER

CEC EX PIL LIBERTY LLC /
BARCLAY HOLDINGS XCII, LLC
2415 East Camelback Road, Suite 900
Phoenix, AZ 85016
ATTN: Colby Fincham
480-596-6366
CFincham@BarclayGroup.com

OWNER

Smith's Food & Drug Center, Inc.
1014 Vine Street
Cincinnati, Ohio 45202
ATTN: Don Forrest
360-690-5019

APPLICANT

Sustainability Engineering Group
8280 E. Gelding Drive, Suite 101
Scottsdale, AZ 85260
ATTN: Ali Fakih
480-588-7226
Ali@azSEG.com

I. PROPERTY DESCRIPTION

The proposed development project is located on the southeast corner of North El Mirage Road and West Lone Mountain Parkway in Peoria, Arizona, and consists of a two Maricopa County Assessor's parcels – APN Numbers 510-08-936A and 510-08-936B – which are proposed to be developed as a Commercial Center anchored by a grocery store and affiliated fuel station. Together, the two parcels that make up the overall site are roughly square in shape with sides approximately 970 feet by 938 feet, as described in the Master Plat of Vistancia "Village D" South, Peoria, Arizona, (Recorded in Book 1498 of Maps, Page 14, Recorder's No. 2019-0984274, records of Maricopa County, Arizona) (hereinafter the "Subject Property").

Recent survey for the property deeds calculated the areas as follows:

- 510-08-936A – 584,676 s.f. – 13.42 acres
- 510-08-936B – 305,922 s.f. – 7.02 acres

The Subject Property is currently undeveloped desert with some indication of previous historical development and roadway construction, and more recent signs of underground infrastructure improvements and shoulder grading, but there are no current buildings or structures on the parcel. The elevation slopes gently from the northwest corner to the southeast. There two narrow washes that cross the property, but there are no significant topographic features, rock or mineral outcroppings, channels or riparian areas.

The Subject Property is part of the larger Planned Community District (PCD) for Vistancia (Case Z01-10A.14), approved in August of 2015, which established the master plans, land uses, and development standards for the Vistancia Master Plan, a planned community of over 7,100 acres located in northern Peoria. The area of Vistancia where the Subject Property is located (identified on master plans as Parcel D-5) is a part of the larger Parcel “D,” and has a designated land use of Mixed-Use (V-MU), and a zoning of V-MU/VRA-4, VRD-3, VRA-3 and VRA-2. The PCD Land Use corresponds to the City of Peoria Loop 303 Specific Area Plan which designates this property as Regional Commercial (RC).

Per the approved PCD for Vistancia, the Mixed-Use designation allows the greatest amount of land-use flexibility, and includes the ability to integrate employment, retail and residential uses into a harmonious site plan. In addition, Village D was specifically cited as an area within Vistancia where visibility and connectivity to the Loop 303 corridor would also be capable of providing extensive regional commercial and employment opportunities for the area.

II. ADJACENT PROPERTIES

The Subject Property is bound as follows:

- The northern property line is bounded by West Lone Mountain Parkway, a major arterial, and north of that is a vacant property (Parcel D-3a) approximately 13.36 acres in size with a Mixed-Use land use designation in the PCD. To the east of this vacant parcel is a single-family home subdivision platted as “Vistancia Village D Parcel D3B.”
- To the east is additional undeveloped property (Parcel D-7) with a Mixed-Use land use designation in the PCD.
- South of the Subject Property is additional undeveloped property (Parcel D-6) with a Mixed-Use land use designation in the PCD.
- The western property line is bounded by North El Mirage Road, a major arterial, and across El Mirage is an existing single-family home subdivision platted as “Vistancia Village A Parcel A16.”
- The northeast corner of the El Mirage Road and Lone Mountain Parkway intersection has been developed as a single-family home subdivision platted as “Blackstone at Vistancia Parcels B6 & B9.”

III. PROJECT REQUEST

The Subject Property has been planned/designed as a commercial center that is proposed to include a grocery anchor, an affiliated fuel center, four additional restaurant pads and two commercial/shop buildings. The Applicant requests approval of this Site Plan as an initial step in the development process.

Only Parcel 510-08-936A (the site of the proposed grocery and fuel center) will be subject to this Use Permit request. That parcels development is proposed as follows”

- The 125,655 square-foot Grocery Store will be sited against the property’s southern boundary and face Lone Mountain Parkway to the north. Three additional building pads will abut the Lone Mountain right-of-way in front of the building, with parking, drive aisles, and landscape islands filling the area between grocery store and the buildings along the roadway. Arranging the project’s largest building in this manner will effectively make Lone Mountain the project’s front entry, and right-of-way access will be provided to the parking areas via three access drives connecting to Lone Mountain Parkway. Three additional access drives will be provided along El Mirage Road.

- The west side of the Grocery Store building includes a drive-through for the pharmacy and a curbside grocery pick-up area, as well as additional parking.
- The proposed Fuel Center will be located west of the Grocery Store and adjacent to El Mirage. The Fuel Center will include a small (785 square foot) walk-in convenience store with parking. The fuel tanks will be located underground, are designed with a Stage 1 Vapor Recovery System that collects and traps any potential vapors that might escape during the fuel filling process, as well as a leak detection system. Peoria requires a Conditional Use Permit (CUP) for the development of the Fuel Center, and this narrative – as well as included CUP submittal requirements included as adjuncts as to this submittal – have been included to allow for the concurrent approval of the CUP.
- Current parking calculations for the entire development is 595 required spaces. A total of 759 spaces have been provided. 15% of the floor area (an amount allowed totaling 24,015 s.f.) may include public assembly uses (i.e., restaurants, bars, cocktail lounges). Current planned restaurant space includes the three fast-food pads with drive-throughs and approximately 2,000 s.f. of one of the Shops buildings, for a total planned area of 11,625 s.f. This means the development is approximately 12,389 s.f. under the 15% maximum allowed. There are 28 proposed ADA spaces proposed for the project, with 16 required.

IV. DESIGN CONSIDERATIONS/DESIGN FEATURES

The following features have been incorporated into the Project design in order to make it a better fit within the surrounding residential neighborhood:

- The Fuel Center will have a small commercial store on-site selling drinks, snacks and some grocery items. Public restrooms access will also be provided. Utility services and trash will be shared with the Grocery Anchor.
- The storm water retention will be stored in underground basin locations throughout the site.
- Parking lot lighting will provide customers and visitors with security and visibility, but will be directed away from surrounding businesses and roadways to meet Peoria code requirements.
- The site’s lot dimensions, building dimensions and setback conditions meet or exceed the conditions of the City’s Development Standards, and those of the Vistancia PCD.

The requested CUP demonstrates compliance with the CUP evaluative criteria as outlined in Section 21-321.E of the Peoria Municipal Code as follows:

- A. The Fuel Center is analogous with Peoria’s “Gas Service Station” and is a permitted Conditional Use within the PCD’s Village D – Commercial Core Character Areas / Vistancia Mixed Use (V-MU) community district, within which the property is located.
- B. The Subject Property lies within Vistancia’s Commercial Core, and more specifically within the Mixed-Use district, a designation that allows the greatest amount of land use flexibility,

including the capability to integrate employment, retail, and residential uses in a harmonious site plan. The land use composition is required to focus on creating an integrated and cohesive development, focusing on character and balance, creating a sense of place, and a successful composition of land uses. In this way, a grocery affiliated fuel station, sharing similar architectural themes, colors and materials, meets the locational and developmental standards provisions for the zoning district in which the property is located.

- C. The use is consistent with the General Plan’s goals, policies, and intent of providing for planned communities that integrate residential and commercial activities within core areas to minimize travel time and miles and provide community needs approximate to residential users.
- D. Initial Pre-Application comments from City staff have allowed that the “Gas Service Station” use is permitted with a CUP but that successful integration into the commercial center was key. Applicant has addressed all comments and believes that staff supports this application.
- E. As currently designed, the Gas Service Station use complies with all applicable City Codes, standards, and guidelines governing such use.
- F. The Gas Service Station has been designed with a Stage 1 Vapor Recovery System that collects and traps any potential vapors that might escape during the fuel filling process, as well as a leak detection system, and meets the requirements of Arizona Department of Environmental Quality (ADEQ). As such, these standards should ensure that the proposed use should not 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; nor should the use unreasonably interfere with the use and enjoyment of nearby properties.

These considerations include, but not be limited to the following factors:

- i. The use should create no damage or problems from noise, smoke, odor, dust, vibration, or illumination;
- ii. The provided traffic report has analyzed that there will be minimal impact on surrounding areas resulting from an unusual volume or character of traffic;
- iii. The provided traffic report has shown that proposed ingress and egress to the property and structures is adequate;
- iv. The provided traffic report also demonstrates that pedestrian and vehicular circulation, with reference to fire protection, has been provided;
- v. Parking and loading is sufficient for the use; and,
- vi. The use will have little or no Impact on public services, including schools, utilities, and recreation.

The CUP Narrative should also demonstrates compliance with the Limitations on Uses Section of the

Peoria Municipal code as outlined under Section 21-505.A.5 as follows:

- A. Minimum frontage of more than one hundred-eighty (180) feet on one arterial street has been provided.
- B. No part of any canopy, fuel dispenser, or fuel storage tank shall be within 200 feet of any single-family residentially zoned lot, not including common area tracts.
- C. A minimum of 500 feet of separation has been provided between gas service stations located on the same side of the El Mirage Road.
- D. All of the following development standards have also been met:
 - i. All fuel pump mechanism and any accessory equipment dispensing fuel will be covered by canopies.
 - ii. Lights mounted under the canopy will be flush with the underside of the canopy.
 - iii. All of this station's fuel tanks will be located underground.

V. CONCLUSION

Approval of the proposed Conditional Use Permit and Site Plan Review will provide no unusual or detrimental impacts on public health, safety, or welfare. No smoke, dust, vibration, or odor issues are anticipated for these uses. Any noise created will be minimal and will be consistent with the PCD's anticipated use. The Applicant believes this project will meet current ordinances and design guidelines, is compatible with neighboring development, and will be of benefit to the citizens of Peoria.

CU22-06 Fry's Marketplace Fuel Center at Vistancia

South of the southeast corner of Lone Mountain Pkwy and El Mirage Rd



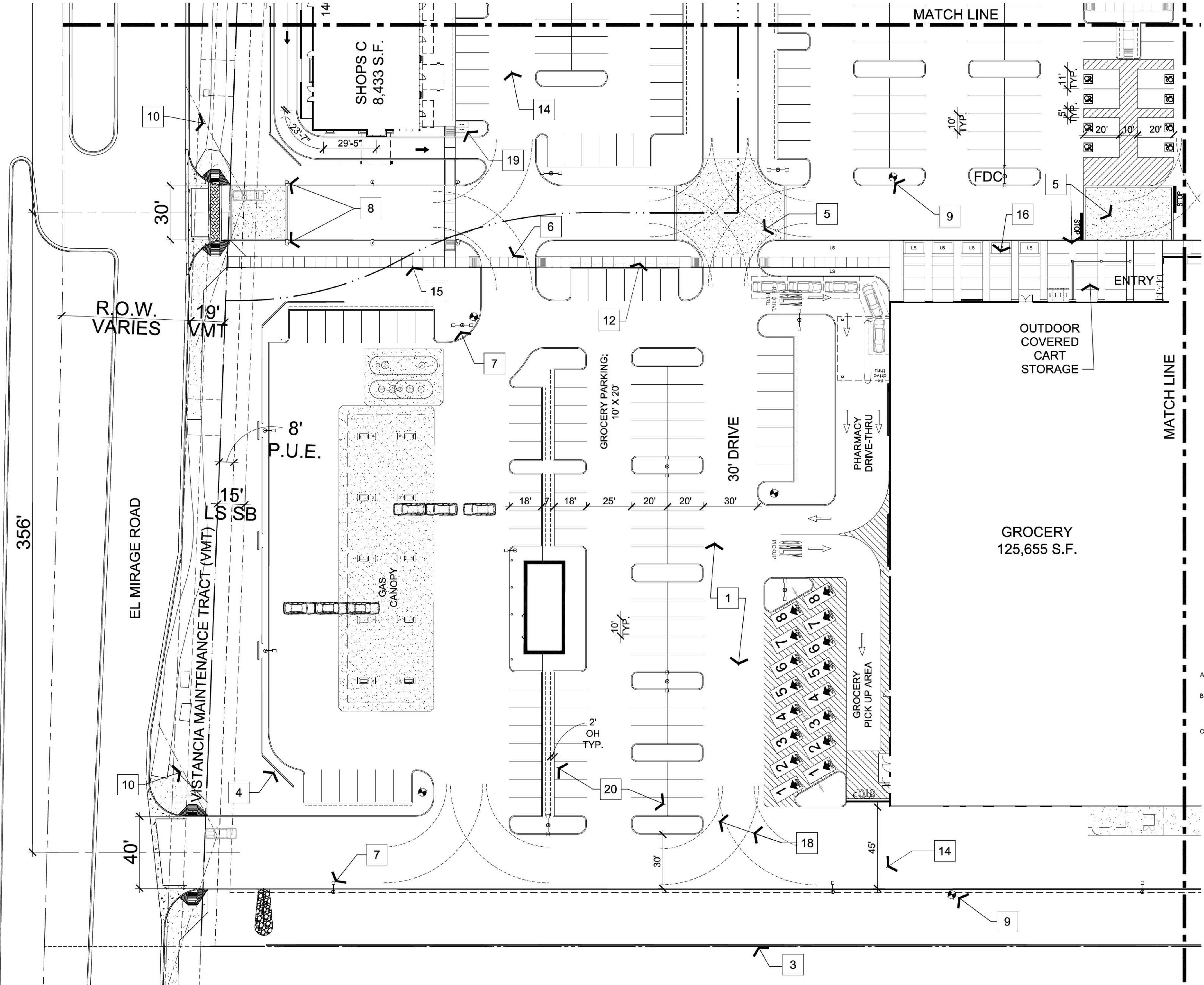
PROJECT NOTES

- A. ALL SIGNS BY SEPARATE PERMIT. SIGNS DEPICTED ON THIS PLAN ARE FOR INFORMATIONAL PURPOSES ONLY. ACTUAL NUMBER AND LOCATION OF SIGNS TO BE DETERMINED AT A LATER DATE.
- B. KEY BOXES ARE TO BE INSTALLED ON ALL SIDES OF A STRUCTURE WHERE THERE ARE ACCESS DOORS. A FULL SET OF KEYS TO OPEN ALL AREAS INSIDE AND OUTSIDE THE STRUCTURE, TO INCLUDE THE FIRE ALARM PANEL, SHALL BE PLACED INSIDE THE KEY BOX. KEY BOXES ARE TO BE INSTALLED NO HIGHER THAT 60 INCHES ABOVE FINISH GRADE.
- C. FIRE APPARATUS ACCESS ROADS SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION OF THIS PROJECT. THE MINIMUM STANDARDS SHALL COMPLY WITH SECTIONS 503.1 AND 503.2 OF THE INTERNATIONAL FIRE CODE WITH CITY OF PEORIA AMENDMENTS.

KEYED NOTES

* KEYNOTES ARE TYPICAL THROUGHOUT

- 1 - ASPHALT PAVING
- 2 - TRASH ENCLOSURE PER CITY OF PEORIA DETAIL
- 3 - PE-146 - SEE SHEET SD 0.1 - Details 5, 6, & 7
- 4 - 6'-0" MASONRY SCREEN WALL AT REAR OF PROPERTY - SEE SHEET SD 0.1 - Detail 4
- 5 - 3'-0" HIGH MASONRY PARKING SCREEN WALL - SEE SHEET SD 0.1 - Detail 3
- 6 - DECORATIVE ALTERNATE PAVING - SEE SHEET MB-1 CC-1
- 7 - ALTERNATE PAVING @ ALL PEDESTRIAN CROSSWALKS - SEE SHEET MB-1 CC-2
- 8 - 25'-0" HIGH LIGHT POLE
- 9 - 15'-0" HIGH DECORATIVE LIGHT POLE
- 10 - PROPOSED FIRE HYDRANT
- 11 - SITE DISTANCE TRIANGLE
- 12 - LANDSCAPE ISLANDS MIN. 8'-0" WIDE OUTSIDE
- 13 - ALL SIDEWALKS ADJACENT TO PARKING MIN. 6'-0" WIDE
- 14 - 6'-0" HIGH SERVICE SCREEN WALL - SEE SHEET SD 0.1 - Detail 8
- 15 - DESIGNATED FIRE LANE
- 16 - CONC. @ ALL PEDESTRIAN SIDEWALKS
- 17 - PLANTERS WITH BOARD-FORMED CONCRETE SEATS
- 18 - MONUMENT SIGN, UNDER SEPARATE PERMIT
- 19 - FIRE TURN RADII, R35' INSIDE R55' OUTSIDE
- 20 - BIKE RACK - SEE SHEET SD 0.1 - Details 1 & 2
- 21 - CITY STAFF APPROVED PARKING LAYOUT - SEE SHEET SD 0.1 - Details 9 & 10



PROJECT DATA

Existing Zoning:	Vistancia PCD, V-MU
Vistancia Maintenance Parcel APN#(s):	510-08-939, 510-08-941
Development Parcel APN#(s):	510-08-936A, 510-08-936B
Gross Area:	1,070,904 S.F. (24.6 AC.)
Site Area (Incl. New 35' half street):	890,884 S.F. (20.4 AC.)
Net Site Area (N.I.C. New 35' half street - 39,844 S.F.):	851,040 S.F. (19.5 AC.)
Building Area:	160,101 S.F.
F.A.R. (based on net site area):	.188

Parking Required:

General Retail > 50,000 S.F. = (160,101 S.F. + 5,000 S.F. Patio) x .90 @ 1/250 S.F.: 595 Spaces

15% of S.F. Floor Area may include public assembly uses (i.e. restaurants, bars, cocktail lounges) - 24,015 S.F. allowed. Current planned restaurant space includes P1, P2, P3 and 2,000 S.F. of Shops C. Total Rest. Area planned - 11,626 S.F. Remaining assembly space allowed (24,015 S.F. - 11,626 S.F. = 12,389 S.F.) under the 15% max. Any assembly space beyond will require 10 / 1,000 S.F. in additional parking spaces.

Total Parking Required:	595 Spaces
Parking Provided:	759 Spaces
ADA Parking Required:	16 Spaces
ADA Parking Provided:	28 Spaces
Proposed Building Height:	30 feet max.
Construction Type (All Buildings):	VB

PROJECT TEAM

Developer Barclay Group 2415 E. Camelback Rd, Ste 900 Phoenix, Arizona 85016 Contact: Molly Moroney Ph: (602) 224-4170 Email: MMoroney@BarclayGroup.com	Architect Butler Design Group 5013 E. Washington St. Ste 100 Phoenix, Arizona 85034 Contact: Rick Butler Ph: (602) 957-1800 Email: rbutler@butlerdesigngroup.com
Civil Engineer Sustainability Engineering Group 8280 E. Gelding Drive Ste 101 Scottsdale, Arizona 85260 Contact: Ali Fakih Ph: (480) 588-7226 Email: ALI@azseg.com	Landscape Architect Laskin & Associates, Inc. 5013 E. Washington St. Ste 100 Phoenix, Arizona 85012 Contact: Hans Stoll Ph: (602) 840-7771 Email: hans@laskindesign.com

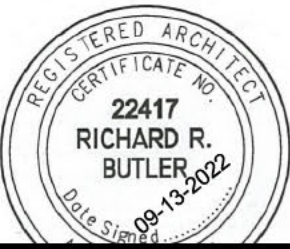
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VICINITY MAP



19021-ST21 09-07-2022



CASE #(S) : SP22-10 & CUP22-06 **SP0.3**



El Mirage Road and Lone Mountain Parkway
Peoria, Arizona



PLANNING AND ZONING COMMISSION REPORT

Meeting December 8, 2022

Date:

Agenda Item: 3R

Case Name: Development Activity Update

General Application Information

ATTACHMENTS:

Description

Staff Memo



City of Peoria
PLANNING DEPARTMENT
9875 North 85th Avenue
Peoria, Arizona 85345
T 623-773-7200
F 623-773-7233
planning@peoriaaz.gov

Memorandum

Date: December 8, 2022
To: Planning and Zoning Commission
From: Lorie Dever, Planning Manager
Re: **ITEM 3R**
Development Activity Update

DISCUSSION

During tonight's meeting, staff will brief the Planning and Zoning Commission on development activity that occurred within the 2022 year, along with preview the Planning Department's 2023 Work Plan:

- Updating Commission's Administrative Procedures;
- Zoning Ordinance Amendments;
- Annexation Requests;
- Upcoming Major Development Cases; and
- Development Process Improvements.