MINUTES
CITY OF GLENDALE PLANNING COMMISSION

CITY COUNCIL CHAMBERS
5850 WEST GLENDALE AVENUE
GLENDALE, ARIZONA 85301

THURSDAY, OCTOBER 4, 2012
7:00pm

CALL TO ORDER
The meeting was called to order at approximately 7:00pm.

Commissioners Present: Chairperson Sherwood (Sahuaro), Commissioner Petrone (Cholla), Commissioner Larson (Mayoral), and Commissioner Penilla (Barrel).

Commissioner Absent: Commissioner Williams (Ocotillo).

There are two vacant positions, Cactus and Yucca.

City Staff Present: Tabitha Perry, Assistant Planning Director, Jon M. Froke, AICP, Planning Director, Deborah Robberson, Deputy City Attorney, Remigio Cordero, Planner, and Diana Figueroa, Recording Secretary.

APPROVAL OF MINUTES
Chairperson Sherwood called for Approval of Minutes. There were none.

WITHDRAWALS AND CONTINUANCES
Chairperson Sherwood called for any withdrawals and/or continuances. There were none.

PUBLIC HEARING ITEMS
Chairperson Sherwood called for staff's presentation.

1. **CUP12-02** A request by Greenberg Farrow, representing Penske, for a Conditional Use Permit (CUP) to allow an automotive truck rental facility in the PAD (Planned Area Development) zoning district. The site is located west of the northwest corner of 67th Avenue and Bell Road (6880 West Bell Road). Staff Contact: Remigio Cordero, Planner (Sahuaro District).

Mr. Remigio Cordero, Planner, presented this item. He said that this is a request by Greenberg Farrow, representing Penske for a Conditional Use Permit to allow an automotive truck rental facility in the PAD zoning district. The property at the corner of 67th Avenue and Bell Road is approximately 11.8 acres in size.

He explained that Penske is requesting to allow an automotive truck rental facility at an existing Home Depot. Penske will utilize 30 parking spaces to park and display rental trucks. There will also be an additional 16 spaces available for overflow parking. Rental trucks will be kept primarily off site and will be delivered on a daily basis.

Mr. Cordero continued by stating that Home Depot will continue their operation at the 129,594 square foot facility. Penske will be providing truck rental services within the existing building.

He said the applicant mailed 133 notification letters on June 28, 2012, to interested parties and adjacent property owners. Planning and the applicant received no response.

Mr. Cordero said that in regard to the findings of the CUP, the proposed use of truck rental sales is consistent with the general plan designation of PC. The approved PAD zoning district permits all uses as permitted in the C-2 zoning district. A rental facility is a permitted use subject to CUP approval.

He shared that this property is located within a commercial corridor that has two other truck rental facilities east of 67th Avenue along Bell Road. The proposal will not have a detrimental effect on the surrounding area or the city. The Penske Truck Rental program will have the same hours of operation as Home Depot.

He noted that the existing site is adequate in size and shape for the proposed use.

In addition, Mr. Cordero stated that the proposed use will have adequate access to two major arterials, Bell Road and 67th Avenue. The trucks will be parked within designated parking spaces and will not encroach onto the interior drive aisles. Vehicles will be able to maneuver throughout the site without the rental trucks interfering with onsite circulation.

All applicable city departments have reviewed this request and have no concerns.

Mr. Cordero concluded the request appears to meet the findings for Conditional Use Permit and should be approved subject to the stipulations listed in the staff report.

Chairperson Sherwood called for any questions. There were none.

Chairperson Sherwood called for the applicant's presentation.

Ms. Catherine Otis, Greenberg Farrow, representing Home Depot, introduced herself and stated she was available to answer questions about the Penske truck rental program.

There were none.

Chairperson Sherwood opened the public hearing.

With no one wishing to speak, Chairperson Sherwood closed the public hearing.

Chairperson Sherwood asked staff if there were additional comments. There were none.

Commissioner Petrone made a motion to recommend approval of CUP12-02 subject to the stipulations listed in the staff report. Commissioner Penilla seconded the motion, which was unanimously approved.

Commissioner Larson commented that it seems to be a good use for an oversized parking lot and he feels it is a good opportunity.

Ms. Debby Robberson, Deputy City Attorney, stated this is final approval by the Planning Commission subject to appeal if filed within 15 days.

2. **CUP12-03** A request by Sheiner & Associates, LLC, representing FLC Glendale Holding, LLC, for a Conditional Use Permit to allow a live entertainment facility in the C-2 (General Commercial) zoning district. The site is located southwest of the southwest corner of 51st and Glendale Avenues (5121 West Glendale Avenue). Staff Contact: Karen Stovall, Senior Planner (Ocotillo District).

Mr. Remigio Cordero presented this item. He stated that CUP12-03 is a request by Sheiner & Associates for the property located at 5121 West Glendale Avenue. The applicant requested a Conditional Use Permit to allow a live entertainment facility in the C-2 zoning district. The property is located south and west of the southwest corner of 51st and Glendale Avenues. The commercial center where the banquet hall will be located was renovated in 2008 including a new façade, onsite landscaping and free standing signs.

He said that the applicant proposes a banquet hall that will occupy 8,000 square feet within the existing shopping center. It is anticipated that the facility will be used for social events, corporate gatherings and employee training. Planned hours are Thursday through Sunday from 4:00pm to 2:00am. The number of event attendees is anticipated to reach 500. All facility users will provide their own catering and music.

Mr. Cordero added that the banquet hall tenant does not intend to make any exterior renovations to the building. Missing landscaping in the parking lot will be replaced to conform to the landscape plan approved with the 2008 renovations.

The applicant mailed notification letters to adjacent property owners on March 30, 2012. A second letter was mailed on June 8, 2012, and a third on July 5, 2012, to the same parties and surrounding neighborhood. Neither Planning nor the applicant received any responses regarding those three mailings.

Mr. Cordero stated that with respect to the findings, the proposed live entertainment facility is consistent with the general plan and purpose of the C-2 zoning district. Live entertainment facilities are permitted within this zoning district subject to CUP approval.

He added that the proposed use will not be materially detrimental to or have an adverse effect on the surrounding neighborhood or the city. The facility will be located in a vacant tenant suite within an existing commercial center. All activity will take place within the building and should not be noticeable outside.

He explained that the proposed site is adequate in size and shape to accommodate the intended use. All requirements for the zoning district will be met. In addition, the site has adequate access

to public streets and on-site circulation. Also, the existing parking lot is adequate to support on-site circulation which is safe and efficient.

All applicable city departments have reviewed the application and have no concerns.

In conclusion, the Planning Commission should approve CUP12-03 subject to the stipulations in the staff report.

Chairperson Sherwood entertained questions.

Commissioner Petrone asked for clarification on parking and justification of the amount of spaces. Mr. Cordero said that the parking at that location is calculated at one per 100 within the shopping center; therefore, it would need to provide only 80 spaces for this center alone which is well under the 202 that they have. The occupancy rating does allow for 500 people; however, the parking ratio that Planning has defined for this use is one for 100 which meets the findings.

Commissioner Larson questioned the 2:00am timing and security needs. In reply, Mr. Cordero stated that the Glendale Police Department reviewed the application and a conversation was held regarding this use. They have stated that they are comfortable with this use.

Chairperson Sherwood asked if there would be any occasion where a special use permit would be required. Mr. Cordero answered, no there would not.

Chairperson Sherwood asked about outside events. Mr. Cordero said that if they were to ever ask for an outside event, they would still have to go through the major and minor special event process.

Chairperson Sherwood called for the applicant's presentation.

Mr. Neal Sheiner, Sheiner & Associates, and Mr. Willie Perez, tenant, introduced themselves and said they were available for questions.

Commissioner Larson asked about the hours of operation. Mr. Willie Perez, 5333 West Glendale Avenue, said that closing time has been set for 2:00am because events will end at 1:00am allowing an additional hour for cleaning of the facility.

Commissioner Larson asked a follow-up about events that occur that late. Mr. Perez responded that events such as birthday parties and weddings will happen throughout the day as well.

Commissioner Penilla asked if there were other similar businesses that remain open until 2:00am. Mr. Perez replied he is not aware of any. He added a nearby business closes at approximately 9:00pm.

Chairperson Sherwood opened the public hearing.

With no speaker cards or citizens wishing to speak, Commissioner Sherwood closed the public hearing.

Commissioner Petrone made a motion to approve CUP12-03 subject to the stipulations listed in the staff report. Commissioner Penilla seconded the motion. The motion was unanimously approved.

Ms. Robberson stated this is final approval by the Planning Commission subject to appeal if filed within 15 days.

3. **CUP12-04** A request by Earl, Curley & Lagarde P.C., representing First Grandview Plaza LLC, for a Conditional Use Permit to allow a thrift store in the C-2 (General Commercial) zoning district. The site is located northeast of the northeast corner of 59th Avenue and Camelback Road (5808 West Camelback Road). Staff Contact: Karen Stovall, Senior Planner (Cactus District).

Mr. Remigio Cordero, Planner, presented this item. He stated that this is a request by Earl, Curley & Lagarde. The applicant requested a Conditional Use Permit for a Goodwill store located on this property at 5808 West Camelback Road.

He stated that the thrift store will occupy 33,029 square feet of lease space within the existing shopping center. A donation drop-off lane will be located on the east side of the property. Store hours were noted. Goodwill will also operate a 3,221 square foot job center that will provide career training, education, and other services to youth and adults.

Mr. Cordero continued by stating that in conjunction with the new Goodwill, renovations to the shopping center will be made.

The applicant mailed 146 notification letters to adjacent property owners and interested parties on June 22, 2012. The applicant did not receive any response regarding the request. Planning received one e-mail in support of the use with questions about donations being dropped off outside regular business hours. The applicant responded to the e-mail, explaining there will be a 24-hour security camera and Goodwill will dispatch an employee to address issues during non-business hours.

Mr. Cordero stated that with respect to the findings of the CUP, the proposed thrift store is consistent with the policies of the General Plan and the purpose of the C-2 zoning district.

He continued that the proposed use will not be materially detrimental to or have an adverse effect on the surrounding neighborhood or community. The store will be located in an existing shopping center and will operate with normal retail business hours.

Mr. Cordero said that the site is adequate in both size and shape to accommodate the proposed thrift store. All requirements for the zoning district will be met and the applicant will make improvements to this site in conjunction with the application.

He explained that the site has adequate access to public streets and on-site circulation to carry the type and quantity of traffic that may be generated by the proposed use and the adjacent arterial streets and proposed modifications to the parking lot are adequate.

Mr. Cordero said that the applicant will take measures to address the issue of donations being dropped off during non-business hours including a security camera.

He concluded by stating that all applicable city departments have reviewed the application and recommend approval. The Planning Commission should approve CUP12-04 subject to stipulations listed in the staff report.

Chairperson Sherwood asked Commissioners if there were any questions.

Chairperson Sherwood called for the applicant's presentation.

Mr. Mike Curley, Earl, Curley, and Lagarde, 3101 North Central Avenue, Phoenix, said that there is about $1.5 million worth of improvements planned for the property ($1 million on the interior). Exterior improvements will include landscaping, screen walls, improved signage and at the request of Councilman Lieberman, a career training center also to be incorporated.

Commissioner Petrone commented that Goodwill has been a wonderful neighbor and has done a fantastic job with their most recent store on Bell Road.

Commissioner Larson followed up with a comment about the questions and concerns that were raised prior to the opening of the Bell Road location and agreed that it has definitely been an improvement to Glendale.

Chairperson Sherwood added, it appears Goodwill is going through a growth spurt and has been a good neighbor, presenting themselves well. Neighbors have appreciated the stores. He expressed his appreciation for the 24-hour surveillance and the immediate response and protection of items being dropped off outside of normal business hours.

Commissioner Penilla commented that Goodwill is positive for the Glendale community and thanked the applicant.

Chairperson Sherwood opened the public hearing.

With no speaker cards or citizens wishing to speak, Commissioner Sherwood closed the public hearing.

Commissioner Petrone made a motion to approve CUP12-04 subject to the stipulations listed in the staff report. Commissioner Penilla seconded the motion. The motion was unanimously approved.

Ms. Robberson stated this is final approval by the Planning Commission subject to appeal if filed within 15 days.

4. **CUP12-06** A request by MD Partners, LLC, representing Circle K Stores, Inc., for a Conditional Use Permit to allow a convenience use in the C-2 (General Commercial) zoning district. The site is located west of the southwest corner of 51st and Olive Avenues (5155 West Olive Avenue). Staff Contact: Remigio Cordero, Planner (Barrel District).

Mr. Remigio Cordero, Planner, presented this item. He stated that this is a request by MD Partners, LLC, representing Circle K to allow convenience use in the General Commercial zoning district. The property is located at 5155 West Olive Avenue and is approximately 1.55 acres in size.

He stated that Circle K is proposing to construct a 4,450 square foot convenience store with a gas fueling station under a 6,510 square foot canopy.

He continued by saying that hours of operation will be 24 hours, seven days a week. Circle K will provide new landscaping as well as a new interior drive aisle that wraps around the convenience store for better circulation.

Mr. Cordero said that vehicular access will be provided through two driveways entering off of Olive Avenue. The surround land uses in this area are commercial and the lot to the west is vacant.

The applicant mailed notification letters to adjacent property owners and interested parties on May 19, 2012, inviting them to a neighborhood meeting. The meeting was held on June 11, 2012, and present were the applicant, staff, and four residents who were notified through the applicant's mailing.

The residents that attended the meeting had concerns regarding traffic, potential environmental issues, littering, and the close proximity of the other Circle K located on 59th and Olive Avenues. The applicant addressed each concern including that the project will be part of an integrated retail development, the client will use an integrated system that monitors its underground storage tanks, employees will remove litter and debris periodically and other stores will remain operational to fulfill lease agreements.

Mr. Cordero stated that in regard to the findings in the CUP, the proposed convenience use is consistent with the policies of the General Plan and the purpose of the C-2 zoning district. Convenience uses are permitted in this zoning district subject to CUP approval.

He continued by stating that the approval of the CUP request will not have an adverse effect on the adjacent properties or the surrounding neighborhood. The store will be located within an existing commercial development and a significant distance from the nearest residential use. There is also a substantial landscape buffer.

He said that the project site is 67,827 square feet and provides ample room. The site will provide adequate parking. All development standards for the C-2 zoning district have been met.

He stated that the site plan for the project depicts two access drives for the ease of access. Striping and other traffic control measures will be installed along Olive Avenue as well as an interior drive aisle that wraps around the store to ensure proper circulation. This drive aisle is needed to provide adequate on-site circulation.

Mr. Cordero said that all applicable city departments have reviewed the application and have no concerns.

Chairperson Sherwood called for the applicant's presentation.

Mr. David Cisiewski, representing MD Partners LLC and Circle K Stores, 11811 North Tatum Boulevard, Phoenix, mentioned that they have spent many months working with the developer and staff for a good design and a different look. There are significant architectural enhancements. They are in agreement with the stipulations.

Chairperson Sherwood opened the public hearing.

With no speaker cards and no one wishing to speak, Chairperson Sherwood closed the public hearing.

Commissioner Petrone made a motion to recommend approval of CUP12-06 subject to the stipulations listed in the staff report. Commissioner Larson seconded the motion, which was unanimously approved.

Chairperson Sherwood commented that he feels Circle K has been a model citizen who works well with the police department to ensure safety. The Police Department in turn is supportive of Circle K.

Ms. Robberson stated this is final approval by the Planning Commission subject to appeal if filed within 15 days.

OTHER BUSINESS
Chairperson Sherwood called for Other Business. There was none.

OTHER BUSINESS FROM THE FLOOR
Chairperson Sherwood called for Other Business from the Floor. There was none.

PLANNING STAFF REPORT
Chairperson Sherwood called for the Planning Staff Report. There was none.

COMMISSION COMMENTS AND SUGGESTIONS
Chairperson Sherwood called for Commission Comments and Suggestions. There were none.

ADJOURNMENT
With no further business, Commissioner Petrone made a motion to adjourn the Meeting. Commissioner Penilla seconded the motion, which was approved unanimously. The meeting adjourned at 7:36pm.

The next meeting is scheduled for November 1, 2012.

Respectfully submitted,

Diana Figueroa

Diana Figueroa, Recording Secretary