

31 **PROJECT DESCRIPTION:**

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33 Victor Olson, of Phoenix Design Group, LLC, on behalf of Bell Road and 303, LLC, seeks approval of a
 34 Conditional Use Permit (CUP) to allow a Minor Automotive Service Facility within Surprise Village
 35 Marketplace. The garage facility will be constructed on a currently vacant pad within the larger
 36 retail center. Site improvements will include a new 5,875 square foot building, landscaping, paving,
 37 signage, etc.

38

39 **EXISTING ZONING:**

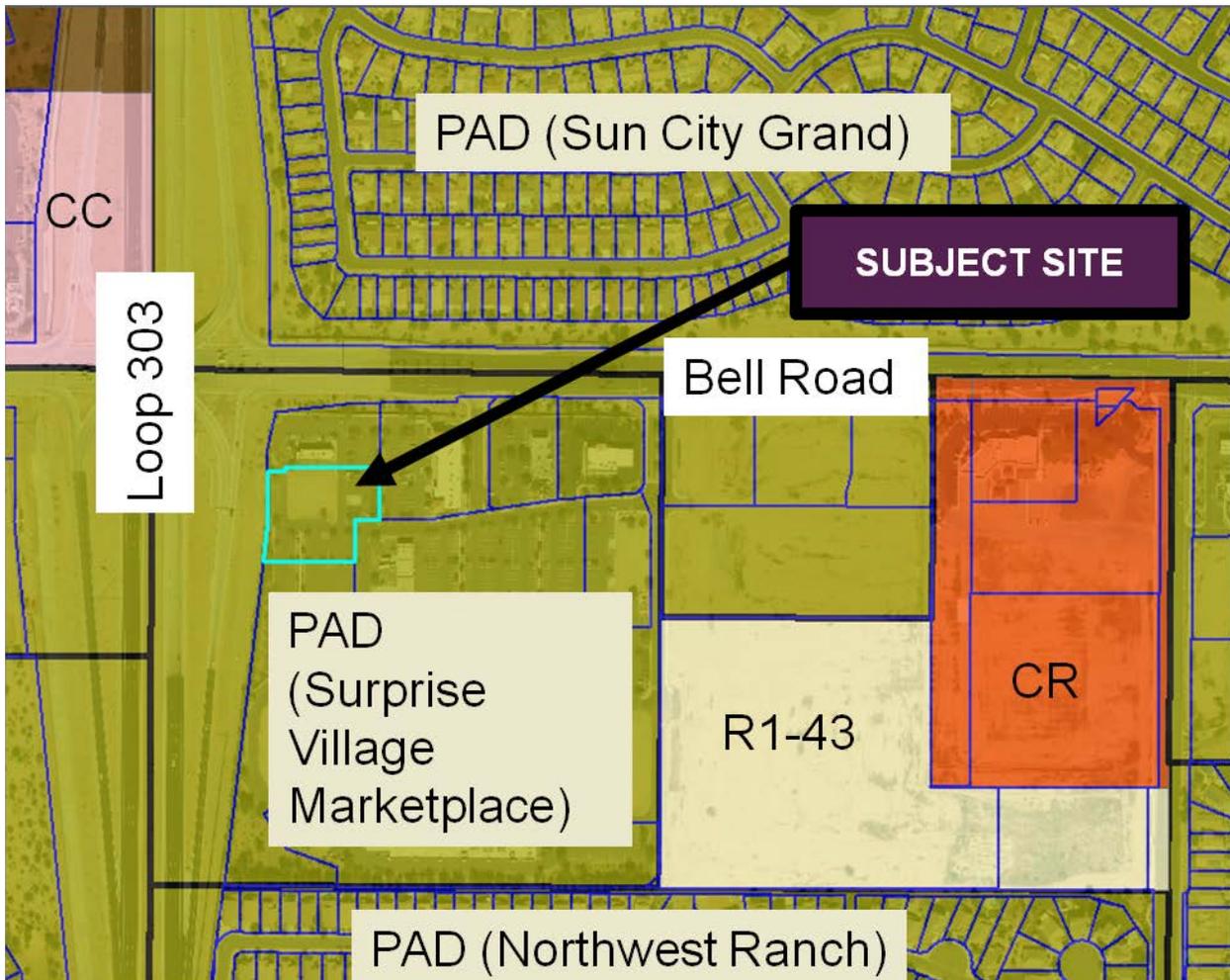
40

41 The following chart and associated map depict the existing zoning of the subject site and its
 42 surrounds.

43

PAD (Commercial)	PAD (Commercial)	PAD (Commercial)
PAD (Commercial)	PAD (Commercial)	PAD (Commercial)
PAD (Commercial)	PAD (Commercial)	PAD (Commercial)

44



45 **BACKGROUND:**

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47 **September 28, 2006:** The City Council approved the Surprise Village Marketplace Planned Area
48 Development (PAD) under case PAD06-286.

49
50 **June 23, 2016:** Staff met with the applicant to discuss the subject project during a regularly
51 scheduled Concept Review meeting under CR16-244.

52
53 **July 18, 2016:** The applicant filed a request for a Conditional Use Permit to allow a Minor
54 Automotive Service Facility under FS16-320, the subject case.

55
56 **August 30, 2016:** Staff returned 1st review comments to the applicant.

57
58 **September 21, 2016:** The applicant held a Citizen Review meeting.

59
60 **September 30, 2016:** The applicant filed their 1st resubmittal of the subject case.

61
62 **October 13, 2016:** Staff returned 2nd review comments to the applicant.

63
64 **October 20, 2016:** Staff scheduled the subject case for the November 17, 2016 Planning and Zoning
65 Commission hearing subject to certain deficiencies being addressed.

66
67 **CITIZEN OUTREACH:**

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69 As noted above, the applicant held a Citizen Review meeting on September 21, 2016, which
70 generated no input. The site was also posted advertised in accordance with the SUDC.

71
72 **ANALYSIS AND DISCUSSION:**

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74 The subject request involves a proposed Minor Automobile Service Center to be constructed on a
75 currently vacant pad within the Surprise Village Marketplace PAD. The PAD was approved under
76 Title 17, and refers to the list of uses included within Title 17. One of those uses is "Automobile
77 Service Center, Minor" which is defined in Title 17 as "...a facility where the sale of automotive fuels
78 or oils, and the incidental repair and replacement of parts and motor services to automobiles are
79 performed, but not including any operation specified under "Automobile Service Center, Major."
80 Title 17 further defines "Automobile Service Center, Major" as "...a facility where the following
81 types of services are performed: engine or drivetrain rebuilding or major reconditioning, and
82 collision service, including body, frame or fender straightening or repair and/or painting of
83 vehicles."

86 Hence, the proposed use may conditionally permitted, provided certain criteria are met, as noted in
87 Section 17.36.050 of Title 17 as follows:
88

89 *“No conditional use permit shall be given for a use that is not listed in this title as a*
90 *conditional use or is not deemed by the commission as equivalent to a listed conditional use*
91 *in the particular district in which it is proposed to be located. The commission shall consider*
92 *the effect of the proposed use upon the health, safety and general welfare of occupants of*
93 *surrounding land, existing and anticipated traffic conditions including parking facilities on*
94 *adjacent streets and land, and the effect of the proposed use on the General Plan. The*
95 *commission may grant the application by motion, imposing such conditions and safeguards*
96 *as it deems necessary, or it may deny the application.”*
97

98 Staff is generally supportive of the requested CUP; however, there are certain deficiencies that
99 must be addressed. These are discussed in the attached Notice of Decision and the following text,
100 and are paraphrased in the recommended stipulations of approval.
101

102 The Setback Table on Sheet A1.1 erroneously shows a 10-inch required setback where no (zero)
103 setback is required. While the proposed building meets the setbacks as established in the PAD, the
104 setback is miss-stated in the table. Stipulation “a.1” addresses this issue. Staff notes that while said
105 building meets the required setback, it will be located quite close to the existing Taco Bell drive-
106 through lane. Staff suggested the building be shortened in order to provide more room between
107 the new building and the existing drive-through lane; however, the applicant asserts the owner’s
108 building program requires ten (10) service bays, which could not be accommodated if the building
109 were shortened.
110

111 There are eight (8) parking spaces that are located immediately adjacent to the landscape area
112 abutting the west side of the building. Staff requested a pedestrian sidewalk be shown in proximity
113 of those parking spaces; however, the northernmost five (5) spaces are not served by said sidewalk.
114 Stipulation “a.2” requests the sidewalk extend northward to serve the five (5) currently unserved
115 parking spaces. (Note that the Letter of Decision indicates four spaces; however, this was a typo in
116 the original letter.)
117

118 The site’s pedestrian pathway will connect to the existing system in several locations; however, the
119 proposed paving is not clearly identified. Typically within the larger center, stamped and painted
120 asphalt is used where said pathways cross vehicular travel lanes. This is suggested in the site plan,
121 but the plan is not clear. Stipulation “a.3” speaks to this issue.
122

123 There is an existing concrete pad located on the site. This concrete pad is currently configured for
124 accessible parking; however, the pad is located in the wrong location relative to the proposed
125 building’s main entrance and is in contradiction to the 2012 International Building Code (IBC).
126 Stipulation “a.4” seeks to relocate the accessible parking in a manner that is consistent with the IBC.
127

128 Stipulations “a.5” through “a.9” address certain deficiencies as identified by the City of Surprise
129 Engineering Department.

130
131 Stipulation “b” seeks to revise the landscape plan so that it is consistent with the revised site plan.

132
133 Architecturally, the building does not necessarily “match” most of the development that has
134 occurred within the Surprise Village Marketplace to date; however, neither does the existing Taco
135 Bell building located immediately to the north of the subject building. That said, the applicant has
136 attempted to reference certain architectural features found in the existing building stock such as
137 the steel window awnings, faux stone, and EIFS finishes, while creating a visually interesting
138 building with a unique character. Staff is comfortable with allowing these deviations from the
139 existing development, but notes that the Service Entrance Section is not shown on the elevations.
140 This omission would not likely surface until the time of final inspection when it becomes apparent
141 that the factory grey color stands out against the building as opposed to fading into the building. By
142 requiring the cabinet to be painted to match the building and including this in the elevations, this
143 will not get overlooked during construction and cause unnecessary delays at final inspection.
144 Stipulation “c” addresses this issue.

145
146 The City of Surprise requires the submission of a lighting photometric plan in order to determine
147 compliance with the City’s outdoor lighting standards. The applicant included a lighting
148 photometric plan with the application; however, there are certain deficiencies that must be
149 addressed in order to continue with the review of the plan. Stipulation “d” seeks revisions to the
150 lighting photometric plan in this regard.

151
152 Stipulation “e” requires that all civil engineering comments as listed in the attached comment letter
153 be addressed.

154
155 Stipulation “f” is a standard stipulation and warrants no further discussion.

156
157 Signage will consist of three (3) wall signs, each being 625 square feet in sign area and consistent
158 with the PAD’s sign requirements.

159
160 **UTILITY AND SERVICES TABLE:**

161

Electric:	APS
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	TBD
Natural Gas:	SWG
Irrigation:	N/A
Schools:	N/A

164 **CONFORMANCE WITH ADOPTED PLANS:**

165

166 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
167 within the Commercial and Office Land Use Category, which supports retail uses such as that
168 proposed.

169

170 **REVIEWING AGENCIES:**

171

172 **Maricopa Water District (MWD):** In an email dated July 25, 2016 (attached) MWD indicated the
173 proposal will not impact MWD.

174

175 **Arizona Department of Transportation (ADOT):** In an email dated July 20, 2016 (attached), ADOT
176 indicated the proposal will have no impact on existing highway facilities.

177

178 **Luke Air Force Base (LAFB):** In a letter dated July 25, 2016 (attached) LAFB indicates no objections
179 to the request, but advises the applicant review sound attenuation requirements and engage in a
180 strong notification program with respect to the air base and its operations.

181

182 **SUMMARY:**

183

184 While certain deficiencies exists staff believes the proposed Conditional Use Permit is consistent
185 with the manner and intent of the Surprise Village Marketplace PAD, provided said deficiencies are
186 adequately addressed. Staff recommends a number of stipulations that once fulfilled, will allow the
187 site to be developed in accordance with the requirements of the City of Surprise.

188

189 **FINDINGS:**

190

- 191 • The proposed Conditional Use Permit, as revised per the recommended stipulations of
192 approval, demonstrates compliance with the criteria set forth in Section 17.36.050 of Title
193 17, which was included by reference into the underlying PAD.
- 194 • The reviewing agencies have indicated no objections to the request.

195

196 **RECOMMENDATION:**

197

198 Based on the findings noted above, staff recommends the Commission **approve** the subject
199 Conditional Use Permit, subject to stipulations 'a' through 'f' as outlined below:

200

- 201 a. The site plan prepared by Phoenix Design Group, Inc., date received September 30, 2016
202 will be revised and submitted for review to include the following modifications:
 - 203 1. Revise the Setback Table to show a required zero (0') northern setback.
 - 204 2. Extend the westerly pedestrian path to serve the five (5) northernmost parking
205 spaces.
 - 206

- 207 3. Clarify the paving materials to be used for the pedestrian pathway system
208 throughout the site.
- 209 4. Shift the accessible parking spaces to the south in order to be closer to the building
210 entrance per 2012 IBC Section 1106.6.
- 211 5. Show existing and proposed water and sewer up to the building. Include the fire line
212 and proposed FDC connection.
- 213 6. Update the Architect's seal.
- 214 7. Show and label easements (water, electric, etc.)
- 215 8. Do not cloud and delta the revisions.
- 216 9. Site plan and civil plans must match each other.
- 217 10. Show and label the interceptor and associated lines.
- 218
- 219 b. The landscape plan prepared by T.J. McQueen & Associates, Inc., date received
220 September 30, 2016 will be revised in a manner consistent with Stipulation A above and
221 submitted for review.
- 222
- 223 c. The elevations prepared by Phoenix Design Group, Inc., date received September 30,
224 2016 will be revised to indicate the location of the Service Entrance Section and to
225 indicate the electrical cabinet will be painted to match the building, and will submit for
226 review.
- 227
- 228 d. The photometric plan prepared by Phoenix Design Group, Inc., date received September
229 30, 2016 will be revised and submitted for review to include the following modifications:
230 The following comments are new comments based on new information.
- 231
- 232 1. The lighting photometric should extend a minimum of 10 feet beyond all property
233 lines.
- 234 2. Much of the information is illegible due to the font size used. Please use a smaller
235 font for clarity.
- 236 3. Your FC values do not seem to take into consideration the existing lighting. Please
237 include the existing parking lot lighting in your analysis.
- 238 4. Related to the previous comment, a minimum of 0.5 foot-candles is required in all
239 parking areas.
- 240 5. There is a cluster of light fixtures that appear to be located on the neighboring Taco
241 Bell building. Are these fixtures new or existing? Please clarify.
- 242 6. Please confirm the fixture count for both of the Gotham fixture types (fixtures B and
243 D).
- 244 e. All civil comments, per letter dated August 5, 2016 on file with Engineering Services of
245 Public Works, shall be addressed and civil documents approved by city staff prior
246 approval and issuance of civil construction permits.
- 247

248 f. Non-compliance with the stipulations of approval of this case will be treated as a
249 violation in accordance with the provisions of Article XIV of the Surprise Unified
250 Development Code.

251
252 However, should the Commission wish to deny the request, the Commission should make its own
253 findings and base its decision on those alternative findings.

254

255

256 **Attachments:**

257

258 01 – Vicinity Map (1 page)

259 02 – CUP Case Map (1 page)

260 03 – CUP Narrative (1 page)

261 04 – Site Plan (1 page)

262 05 – Landscape Plan (1 page)

263 06 – Elevations, B&W (1 page)

264 07 – Elevations, Color (1 page)

265 08 – Sign Package (1 page)

266 09 – Color Palette (1 page)

267 10 – October 20, 2016 Notice of Decision (4 pages)

268 11 – Engineering Comment Letter dated August 5, 2016 (2 pages)

269 12 – MWD Comments (1 page)

270 13 – ADOT comments (1 page)

271 14 – Luke AFB comments (1 page)