

STAFF REPORT

To: Planning and Zoning Commission
Through: Kazi Haque, Zoning Administrator
From: Rodolfo Lopez, Senior Planner
Date: December 14, 2015

CITY OF MARICOPA
DEVELOPMENT SERVICES DEPARTMENT

APPROVED APPROVED AS NOTED

BY: P+Z COMMISSION DATE: 12/14/15

RE: **Development Review Permit (DRP) 15-04:** A request by VP Edison 15 LLC, for a proposed Edison Pointe commercial development with aggregate retail space of +/- 130,000 square feet. The project is located on the northeast corner of Edison Road and John Wayne Parkway (SR-347) (**Discussion and Action**).

REQUEST

Development Review Permit (DRP) 15-04: VP Edison 15 LLC request approval of a Development Review Permit to allow the development of a retail commercial center called Edison Pointe. The proposed development will consist of four (4) pad buildings, four (4) mini-major buildings and four (4) major buildings. The aggregate retail space of the development is +/- 130,000 square feet.

RECOMMENDATION

Staff recommends approval of **Development Review Permit (DRP) 15-04**, subject to the conditions of approval stated in this staff report.

COUNCIL PRIORITIES AND/OR THEMES ADDRESSED

- Transportation Connectivity
- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

PROJECT INFORMATION

VP Edison 15 LLC owns the 14.75 acres of land just south from the Fry's Shopping Center. Previously known as Mountainside Marketplace, the new owner proposes to develop the site quite similarly to the original design with slight modification to adhere to the City's newly adopted Zoning Code. The development proposes four (4) pad sites, four (4) mini-major buildings, and four (4) major buildings. The proposed uses for each building is shown below (see next page).

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Building	Use	Square Footage (SF)
PAD A	Restaurant – Full Service	6,000 SF (approx.)
PAD B	Restaurant – Limited Service	6,000 SF (approx.)
PAD C	Restaurant – Limited Service	2,981 SF
PAD D	Automotive	5,000 SF (approx.)
Mini Major A	Small Scale Retail	10,000 SF
Mini Major B	Small Scale Retail	3,750 SF
Mini Major C	Small Scale Retail	4,875 SF
Mini Major D	Small Scale Retail	12,500 SF
Major A	Small Scale Retail	11,000 SF
Major B	Small Scale Retail	22,000 SF
Major C	Large Scale Retail	25,000 SF
Major D	Large Scale Fitness Facility	21,825 SF

Per the site plan submitted, the development proposes four (4) separate access points to the development. Three (3) of the access points will come off of Edison Road and one (1) off of John Wayne Parkway (SR-347). The development also proposes to amend and utilize a cross-access agreement (recorded under fee# 2004-060246) with the adjacent property to the north (Fry’s Marketplace). The cross-access design will allow for appropriate traffic flow between the two properties and additional access points from John Wayne Pkwy and Edison Road for both commercial developments, Edison Pointe and Fry’s Marketplace (Refer to Exhibit C, for site context). The applicant will also provide a copy of this recorded cross-access agreement, and any other agreements with adjacent property owners, entities and agencies if any, for City record. A stipulation is noted to this effect.

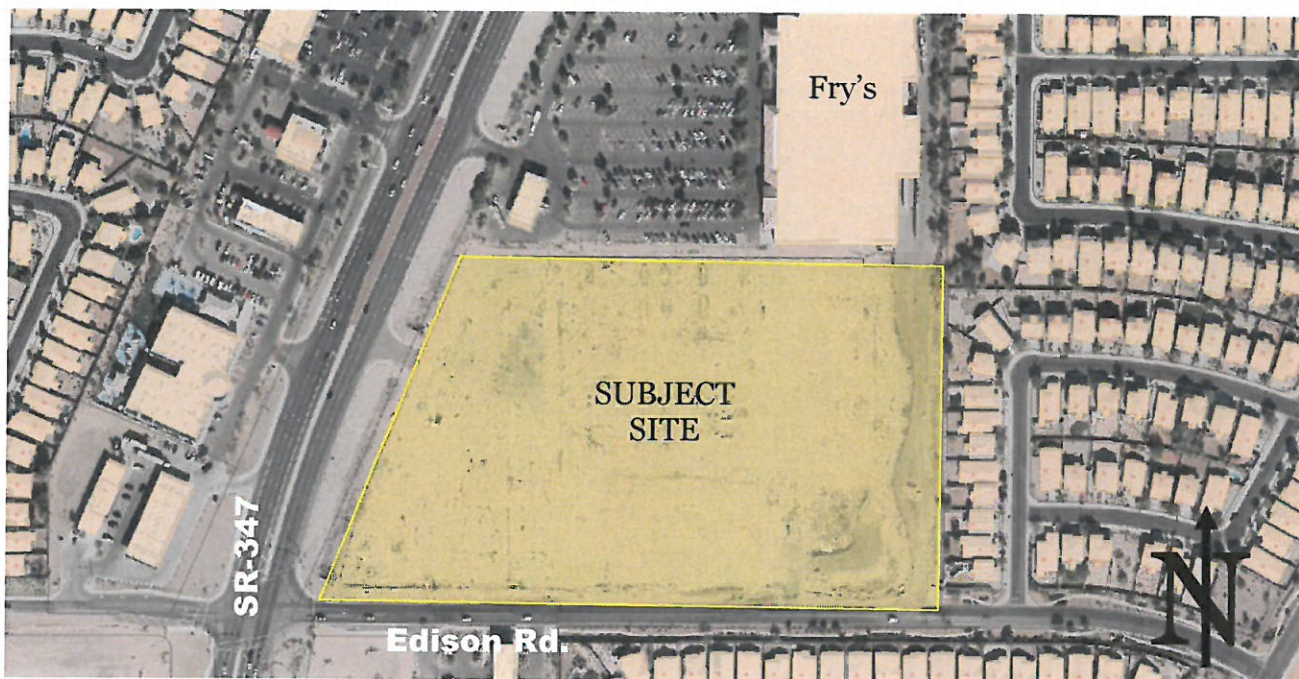
A Traffic Impact Statement (TIS) was submitted to the city for review, which will also be required to be submitted to the Arizona Department of Transportation (ADOT) for final approval for the proposed access point off of John Wayne Parkway (SR-347). This TIS provided is an update to the previously approved Traffic Impact Analysis (TIA) for Mountainside Marketplace, accounting for the new proposed uses. Improvements to the John Wayne Parkway frontage and Edison Road will be required to be done by the Developer as part of the construction of the first phase of development. Improvement to the roads will include sidewalks, restriping and access improvements in accordance with the approved TIA.

The development will be built in two phases, with Phase 1 will consist of all four (4) mini-major buildings, all four (4) major buildings, two (2) PAD buildings and required parking, including off-site improvements to Edison Road and John Wayne Parkway. Phase 2 will encompass the remaining two (2) PAD buildings, (Refer to Exhibit F for phasing plan).

A portion of the development is located with the City’s recently adopted Transportation Corridor Overlay District. PAD buildings A and C are within the overlay corridor and, as such, are required to comply with the adopted standards to enhance corridor viewshed. Accordingly, the applicant has sited the building to meet minimum requirements set forth in the overlay district to achieve distinct character along the city’s primary road. Elevations for both buildings are not being reviewed with this request but will be require staff review and approval prior to development of the Phase 2 PAD buildings. A stipulation to this effect is recommended.

Site Context Aerial:

Direction	General Plan Designation	Existing Zoning	Existing Use
North	Commercial	CB-2	Fry's Shopping Center
East	Single Family Residence	CR-3 PAD	Villages at Rancho El Dorado
South	Single Family Residence	CR-3 PAD	Villages at Ranch El Dorado
West	Commercial	CB-2	Quik Trip Gas Station



Site Data:

Zoning	CB-2 General Business Zone
Gross Acreage	14.75 Acres
APN #	512-04-002A
Building Area	Majors – 79,825 square feet Mini-Majors – 31,125 square feet Pads – 19,981 square feet

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Parking Data	<p>Small Scale Retail: Major A 11,000 SF @ 1/300 SF – 37 parking spaces</p> <p>Small Scale Retail: Major B 22,000 SF @ 1/300 SF – 73 parking spaces</p> <p>Large Scale Retail: Major C 25,000 SF @ 1/250 SF – 100 parking spaces</p> <p>Large Scale Fitness Facility 21,825 SF @ 1/500 SF – 44 parking spaces</p> <p>Small Scale Retail: Mini Major A 10,000 SF @ 1/300 SF – 33 parking spaces</p> <p>Small Scale Retail: Mini Major B 3,750 SF @ 1/300 SF – 13 parking spaces</p> <p>Small Scale Retail: Mini Major C 4,875 SF @ 1/300 SF – 16 parking spaces</p> <p>Small Scale Retail: Mini Major D 12,500 SF @ 1/300 SF - 42 parking spaces</p> <p>Restaurant Full Service PAD A 75% of 6,000 SF @ 1/100 SF – 45 parking spaces</p> <p>Restaurant Limited Service PAD B 75% of 6,000 SF @ 1/75 SF - 60 parking spaces</p> <p>Restaurant Limited Service PAD C 75% of 2,981 SF @ 1/75 sf – 30 parking spaces</p> <p>Automotive PAD D 8 service bays @ 3 spaces/1 service bay – 24 parking spaces +/- 1,600 SF of office/sales @ 1/100 SF – 16 parking spaces</p> <p>Total Required Parking Spaces: 533</p> <p>Minimum Parking Required Per Code (110% of Required): 586</p> <p>Total Parking Spaces Provided: 680</p>
Parking Area	218,970 SF
Retention Area	27,243 SF
Landscape Area	111,846 SF

General Plan Information: The City of Maricopa General Plan calls out this area as “C” – Commercial and per the General Plan, “Commercial” designation is defined as,

“The Commercial land use category provides for commercial nodes on individual parcels. The intent is to provide neighborhood and community scale shopping, office, medical facilities, and subordinate multi-family residential uses which incorporates pedestrian and neighborhood needs through site planning, architecture, access, lighting and parking design. Single-family residential

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uses are not supported. For larger parcels, over 40 acres, regional retail development is anticipated in this designation.”

The proposed commercial development is in compliance with the General Plan land use designation of commercial use.

Analysis:

In accordance to Zoning Code Sec. 505.07, the decision making body shall evaluate the proposed development conform to the policies of the General Plan and any applicable regulations and standards within the Zoning Code, Subdivision Ordinance or any other policies, guidelines adopted or approved by the City Council, including the following design guidelines criteria:

- The overall design of the project, including its scale, massing, site plan, exterior design, and landscaping, will enhance the appearance and features of the project site and surrounding natural and built environment.

Staff Analysis: Staff has worked diligently with the applicant in producing adequate elevations that will continue to embrace the established architecture within the area.

- The project site plan is appropriate to the function of the project and will provide a suitable environment for occupants, visitors, and the general community.

Staff Analysis: The proposed use is consistent with the City’s General Plan Land Use and the development has met all development standards as it relates to pedestrian connectivity.

- Project details, colors, materials, and landscaping, are internally consistent, fully integrated with one another, and used in a manner that is visually consistent with the proposed architectural design.

Staff Analysis: The proposed materials and color meet design elements established within the Fry’s Marketplace. The building placement proposed properly integrates with the existing development to the north.

- The project is compatible with neighboring development by avoiding big differences in building scale and character between developments on adjoining lots in the same Zoning District and providing a harmonious transition in scale and character between different Districts.

Staff Analysis: Building massing within the site is properly placed to provide a harmonious transition in scale and character per the Zoning Code.

- The project contributes to the creation of a visually-interesting built environment that includes a variety of building styles and designs with well-articulated structures that present varied building facades, rooflines, and building heights within a unifying context that promotes increased pedestrian activity and compatibility among neighboring land uses within the same or different Districts.

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- **Illumination:**
 - The applicant has provided conceptual cut sheets of the light fixtures and photometric plans to meet standards set forth in the Zoning Code, Article 405.
- **Elevations**
 - Proposed architectural elevations are complimentary and exceed minimum standards set forth within Zoning Code, Sec. 505.07 Development Review Permit criteria.
- **Public Notice**
 - As required per the Zoning Code Section 501.11 and 505.05, notification letters were sent out to property owners within 300 feet of the subject site with information about the proposed development and the Planning and Zoning Commission meeting date. In addition, two sign postings were on the property by staff, one on the frontage of John Wayne Pkwy and the other on the frontage of Edison Road. At the time of writing this report no public comments was received (refer to Exhibit I for complete notification report).

PURCHASING SUMMARY

There is no purchasing impact associated with this request.

CONCLUSION

Staff recommends approval of the Development Review Permit case # DRP15-04, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

Conditions of Approval

1. Construction of the project shall be in conformance to the exhibits submitted with this Development Review Permit (DRP15-04) application for site plan, elevations, photometric and landscape plans, and as amended by the Planning and Zoning Commission.
2. In accordance to Section 505.09 of the City's adopted Zoning Code, the Development Review Permit shall expire if a building permit has not been issued within two years of the date of Planning and Zoning Commission approval. A one-time extension may be approved by the Planning and Zoning Commission, upon recommendation by the Zoning Administrator after a completed application to extend, and fee is submitted.
3. Future modifications of the existing plans, if any, shall be subject to set procedures within the City's Zoning Code and other adopted policy documents at the time of the request, including, for example, a re-plat will require meeting City review and approval process.
4. In accordance to Zoning Code Section 409.03, a Comprehensive Sign Plan (CSP) shall be submitted separately for review and approval by staff.
5. A monument sign identifying the commercial center (Edison Pointe) on the corner of John Wayne Parkway and Edison Road shall be enhanced with architectural features to reveal the development.
6. PAD A, C and D shall be required to submit separate Minor Development Review permits applications for review and approval by staff (Administrative).

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7. All roof mounted mechanical equipment shall be completely screened from public view by the building/roof parapet wall. Any ground mounted equipment or building mechanical features shall be screened from public view and/or painted to match color scheme of the building. Roof access shall be from within the building.
8. Outdoor lighting/building wall mounted lights shall conform to the City lighting standards.
9. Prior to issuance of Certificate of Occupancy, the property owner shall submit a separate sign permit application (per approved CSP), and as applicable.
10. Prior to issuance of Certificate of Occupancy, site inspections will be required and approved by relevant City Departments (Fire, Building Safety, Engineering and Planning).
11. Any update to the existing cross access agreement shall be submitted to the City for record keeping.
12. As submitted, all refuse areas shall be enclosed and shall correspond to the design and color palette of the development. Gates shall not open into vehicular drive aisles.
13. Truck traffic and deliveries, refuse pick-up etc. shall be limited to hours of operation with least impacts to the adjacent residential properties and vehicular circulation of this development.
14. Landscape shrubs within sight visibility triangles shall not exceed a height of 24 inches.
15. Prior to beginning of site construction, or issuance of any building permit, a consent letter from the State Historic Preservation Office (SHPO) is obtained for archaeological and historical preservation information.
16. Human remains and artifacts have been found in the Maricopa area. "Public law 101-601, Native American Graves Protection and Repatriation Act" and "Public law 41-865 disturbing human remains or funerary objects; rules; violation; classification; definitions", A person can be guilty of a class 5 felony if he/she intentionally possess, sells or transfers any human remains or funerary objects that are excavated or removed. In the event that human remains and/or artifacts are discovered during construction, Ak-Chin has requested that the developers stop immediately and contact the Ak-Chin Cultural Resources Office before any further construction continues.
17. A Property Owners Association (POA) shall be created for this project. The POA shall be responsible for maintenance and upkeep of the properties in general, on-site water and sewer, site landscaping, right-of-way landscaping and open space. Prior to issuance of any building permit; the applicant shall include this note on the final plan for staff review.
18. This project is within the City of Maricopa Regional Transportation Plan boundaries. As such, improvements shall be made in accordance with all recommendations included in the Final Implementation Plan and as approved by the City of Maricopa.
19. All public roadway and infrastructure improvements shall be in accordance with the current City of Maricopa standards and/or subsequent standards that are developed by the City, as approved by the Director of Public Works or City Engineer and installed by the developer.
20. Civil drawings shall be submitted to the City prior for review and approval prior to onsite and offsite construction.
21. The development shall satisfy all traffic related recommendations provided in the Traffic Impact Analysis for Edison Pointe.

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22. An approval letter from ADOT shall be submitted to the City prior to Civil and Building Safety plan submittal for the proposed access point off of John Wayne Pkwy. Applicant shall comply with all City and ADOT requirements.
23. Prior to issuance of the final Certificate of Occupancy, the applicant shall submit and secure all required applications, plans supporting documents submittals, approvals and permits from the applicable federal, state, county and any other agencies as applicable.
24. The development and operation of the proposed Facility shall be in accordance with all applicable Arizona Department of Environmental Quality (ADEQ) requirements, if applicable, and other regulatory agencies rules and regulations.
25. The applicant/property owner shall have met and complied with all applicable fire codes under the IFC 2012, including amendments, as well as related National Fire Protection Agency (NFPA) guidelines, to the satisfaction of the Maricopa Fire Department.
26. *As amended by the Planning and Zoning Commission, an on-site circulation plan shall be submitted for review by staff and overall traffic impact of the proposed development shall continue to be reviewed by applicable agencies.*

Exhibit A – Narrative

Exhibit B – Site Plan

Exhibit C – Landscape Plan

Exhibit D – Photometric Plan

Exhibit E – Elevations

Exhibit F – Phasing Plan

Exhibit G - Alternative Landscape Comparison Analysis

Exhibit H – Trellis Detail

Exhibit I – Notification Report

-- End of staff report --