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STAFF REPORT

CASE # DRP19-11

To: Planning and Zoning Commission

Through: Rodolfo Lopez, Planning and Zoning Manager

From: Ben Cereceres, Planner I

Meeting Date: August 26, 2019

REQUEST

Development Review Permit (DRP) 19-11: Thompson Thrift is proposing to construct shopping center, including 30,000 square-feet of grocery and 56,500 square-feet of retail shops, on approximately 7.86 acres located on the southwest corner of John Wayne Parkway and Edison Road.

DISCUSSION AND ACTION

APPLICANT

Thompson Thrift
 2398 E. Camelback Road, Suite 210
 Phoenix, AZ 85016

Phone: 623-523-3943
 Contact: Andrew Call
 Email: acall@thompsonthrift.com

PROPERTY OWNER

VWP Sonoran Creek LLC
 2390 E. Camelback Road, Suite 305
 Phoenix, AZ 85016

COUNCIL PRIORITIES CONSIDERED

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

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission approve the proposed Development Review Permit subject to conditions as stated in this staff report and as amended by the Planning and Zoning Commission.

PROJECT DATA

- Site Acreage: 7.07 Acres
- Parcel #: 510-19-202-A
- Site Address: Southwest Corner of John Wayne Parkway & Edison Road
- Existing Zoning: General Business Zone (CB-2)
- Overlay Zoning: Heritage Mixed Use (MU-H)/Transportation Corridor (TC)
- General Plan Land Use: Commercial

SUBJECT SITE



SURROUNDING USES

Direction	Existing Zoning	Existing Use
North	CR-3 Zoning & CB-2 Zoning	Single Family Residences & Commercial Shopping Center
East	CB-2 Zoning	Commercial Shopping Center
South	CB-2 Zoning & GR Zoning	Commercial Shopping Center & Single Family Residences
West	GR Zoning	Vacant Land & Single Family Residences

DEVELOPMENT DATA**Building Size**

Building	Square-Footage
Shops 2	9,100 Square-Feet
Grocery	30,000 Square-Feet
Retail	22,000 Square-Feet
Multi-Tenant Building (MTB-B)	5,000 Square-Feet
Multi-Tenant Building (MTB-C)	5,000 Square-Feet
Future Buildings (Will be processed under separate permit)	Square-Footage
Multi-Tenant Building (MTB-A)	7,500 Square-Feet
Multi-Tenant Building (MTB-D)	8,000 Square-Feet

Building Height

Building	Maximum Building Height Allowed	Proposed Building Height
Shops 2	40'	26'
Grocery	40'	38'
Retail	40'	37'
Multi-Tenant Building (MTB-B)	40'	27'
Multi-Tenant Building (MTB-C)	40'	24'
Future Building (Will be processed under separate permit)	Maximum Building Height Allowed	Building Height
Multi-Tenant Building (MTB-A)	40'	N/A
Multi-Tenant Building (MTB-D)	40'	N/A

Setbacks

	Shops 2	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	281' (To Property Line)
Minimum Side Yard Setback (North)	0'	94'-6" (To Property Line)
Minimum Side Yard Setback (South)	0'	0' (Attached to Grocery)
Minimum Rear Yard (West)	30'	173'-9" (To Property Line)
Minimum Setback Between Buildings	6'	

	Grocery	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	586' (To Property Line)
Minimum Side Yard Setback (North)	0'	0' (Attached to Shops 2)
Minimum Side Yard Setback (South)	0'	0' (Attached to Retail)
Minimum Rear Yard (West)	30'	52' (Between Buildings)
Minimum Setback Between Buildings	6'	

	Retail	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	586' (To Property Line)
Minimum Side Yard Setback (North)	0'	0' (Attached to Grocery)
Minimum Side Yard Setback (South)	0'	91'-4" (To Property Line)
Minimum Rear Yard (West)	40'	52' (To Property Line)
Minimum Setback Between Buildings	6	

	Multi-Tenant Building (MTB-B)	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	52' (To Property Line)
Minimum Side Yard Setback (North)	0'	37'-3" (To Property Line)
Minimum Side Yard Setback (South)	0'	843'-5" (To Property Line)
Minimum Rear Yard (East)	40'	57' (To Property Line)
Minimum Setback Between Buildings	6'	

	Multi-Tenant Building MTB-C	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	383'-3" (To Property Line)
Minimum Side Yard Setback (North)	0'	588'-9" (To Property Line)
Minimum Side Yard Setback (South)	0'	67'-3" (To Property Line)
Minimum Rear Yard (East)	40'	121'-4" (To Property Line)
Minimum Setback Between Buildings	6'	

	Multi-Tenant Building MTB-A (Future Building)	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	78' (To Property Line)
Minimum Side Yard Setback (North)	0'	305' (To Property Line)
Minimum Side Yard Setback (South)	0'	9' (To Property Line)
Minimum Rear Yard (East)	40'	639' (To Property Line)
Minimum Setback Between Buildings	6'	164'-7" (Between Building MTB-A and MTB-D)

	Multi-Tenant Building MTB-D (Future Building)	
Zoning Standard	Zoning Ordinance Requirement	Proposed
Minimum Front Yard Setback (East)	10'	56' (To Property Line)
Minimum Side Yard Setback (North)	0'	73' (To Property Line)
Minimum Side Yard Setback (South)	0'	231'-10" (To Property Line)
Minimum Rear Yard (East)	40'	642' (To Property Line)
Minimum Setback Between Buildings	6'	164'-7" (Between Building MTB-A and MTB-D)

Parking & Loading

Building	Square - Footage	Parking Requirement	Total Parking On-Site
Shops 2	9,100 Square-Feet	Retail: 6,000 SF / 300 = 20 Kitchen: 1,224 SF = 0 Seating: 1,799 SF/75 = 24 44 Parking Spaces Required	407
Grocery	30,000 Square-Feet	Grocery: 30,000 SF/300 = 100 Parking Spaces Required	
Retail	22,000 Square-Feet	Retail: 22,000 SF/300= 74 Parking Space Required	
MTB-B	5,000 Square-Feet	Retail: 3,000SF/300= 10 Kitchen:650 SF = 0 Seating:1,350 SF/75= 18 Patio: 1,000 SF/400 = 3 31 Parking Spaces Required	
MTB-C	5,000 Square-Feet	Retail: 5,000 SF/300= 17 Parking Spaces Required	
Future Building (Will be processed under separate permit)		Parking Requirement	
MTB-A	7,500 Square-Feet	Retail: 3,750 SF/300 = 13 Kitchen: 1,250 SF = 0 Seating: 2,500 SF/75 = 34 Patio: 2,000/400 = 5 52 Parking Spaces Required	
MTB-D	8,000 Square-Feet	8,000 SF/300 = 27 Parking Spaces Required	
Total Parking Spaces Required	345 Parking Spaces Required		

Landscape Plans

- 33% of landscaping is provided which exceeds the minimum required landscaping, which is 10% for commercial developments of 10 acres or less. *Maricopa Subdivision Open space requirement: Section 14-6-4, Table 2- Open Space Requirements.*
- *Per Zoning Code Sec. 404.04 the development is required to have a minimum quantity of trees and shrubs and per Zoning Code Sec. 301.05.G the development is required to meet the minimum standards under section 404 and shall be increased by one and a half times. The proposed landscape plan exceeds the minimum required for both trees and shrubs:*

	Heritage Mixed Use (MU-H)	Transportation Corridor (TC)
Buildings within Each Overlay Zone	Shops 2 / Grocery / Retail / MTB-B / MTB-C	MTB-A / MTB-D
Landscape Area	49,750 sf	21,250 sf
Minimum Trees	77	49
Provided Trees	138	49
Minimum Shrubs	459	296
Provided Shrubs	627	297

ANALYSIS

Thompson Thrift is proposing to construct a retail shopping center that includes 30,000 square feet of grocery and 56,500 square-feet of retail shops, on approximately 7.86 acres located on the south-west corner of John Wayne Parkway an Edison Road. Development Plan Review (DRP19-11) is solely for the review and approval of Shops 2, Grocery, Retail, MTB-B, MTB-C. MTB-A and MTB-D will be reviewed and processed under a separate permit.

The project is located within two (2) overlay districts, the Transportation Corridor (TC) Overlay District and the Mixed Use – Heritage (MU-H) Overlay District. The Transportation Corridor (TC) Overlay District layer is located on the first 161 feet on the east side of the project site. The purpose of the Transportation Corridor (TC) Overlay District is to promote an appropriate mixture and density of activity that enhances the character of the major gateways and transportation corridors in the City. The (TC) Overlay District regulates land uses and establishes development standards.

The Mixed Use –Heritage (MU-H) Overlay District is located on the entire site. The purpose of the Mixed Use – Heritage Overlay District (MU-H) to implement design guidelines that are consistent with Western and Agrarian/Railroad character which include some of the following elements:

- Shaded Walkways
- Brick Façade with Timber Framing
- Simple Mix of Varied Roof Planes
- Open Rafters with Large Overhangs
- Mixture of Materials
- Deep Set Windows and Door Openings

The retail center has been designed with architectural and landscape features that comply with the Transportation Corridor (TC) and Mixed Use – Heritage (MU-H) Overlay District. The architectural design of the retail center features aluminum storefront glass with a mixture of brick, stucco and metal. The use of different façade materials and variation in building heights create visual interest. The color pallet consists of a brown earth tones for the body and green and red tones as accent colors.

Landscaping has been provided throughout the site to break-up the massing of the buildings and provide screening where applicable. The developer also provides potted plants along the pedestrian walkways to soften the buildings along with providing tree-lined shaded walkways within the parking lot.

The proposed retail center meets the parking demand for Shops, 2, Grocery, Retail, MTB-A, MTB-B, MTB-C, and MTB-D, a total of 345 parking spaces are required per the City's off-street parking standards under section 407.04.A. A total of 407 parking spaces are being provided which exceeds the allowable 10% more than minimum required. A letter demonstrating that the additional parking is provided to meet the anticipated parking demand of varying tenants has been submitted by the applicant, in accordance with Maricopa Zoning Code section 407.04.E. A parking increase can be approved due to the nature of the proposed operations and if the use will adequately be served by the proposed findings.

Based on the proposed operation of the retail center, the client has confirmed that the proposed use will be adequately served by the 407 parking spaces that are being provided on-site, DRP19-11 would be in compliance with the requirements of the City's off-street parking ordinance.

The proposed retail center will provide a total of 2 dedicated loading areas adjacent on the west elevation of the retail center which will measure 30' x 69' each, which will exceed the minimum standard of 12' wide x 45' long per Maricopa Zoning Code section 407.03.H.

The applicant has provided conceptual cut sheets of the light fixtures and photo-metric plans to meet standards set forth in the Zoning Code, Article 405. In addition, the applicant is proposing decorative parking light poles that will compliment with the Heritage District Design guidelines, refer to Exhibit E.

The site will be accessible via four (4) points of entry, two (2) will be off of John Wayne Parkway (SR347) with one (1) access point being a shared drive aisle between Dutch Bros. Coffee and the proposed retail center and the other will be shared between the proposed retail center and Culver's, one (1) off of Edison Road and the last being off of Hathaway Avenue which will be shared between Fast and Friendly Carwash, Dutch Bros. and the proposed retail center, refer to Exhibit B Site Plan.

A Traffic Impact Analysis (TIA) was submitted and reviewed by the Engineering Division. The report determined that the proposed roadway infrastructure for the development is adequate. All signalized intersections are expected to operate at Level of Service (LOS) D (*Level Service of A – D is passing per the City Engineer*) at both AM and PM peak hours in 2020 background, 2020 combined, 2025 background, and 2025 combined traffic scenarios. All approaches of signalized intersections and all movements of unsignalized intersection and driveways are expected to operate at LOS D or higher level of service at both AM and PM peaks hours in 2020 background, 2020 combined, 2025 background, and 2025 combined traffic scenarios as well.

A preliminary Grading and Drainage plan was submitted and reviewed by the City's Engineering Division. The Engineering Reviewer determined the plans meet minimum required drainage standards within the city. The applicant shall submit final Grading and Drainage plans for review and approval by the City Engineering prior to construction.

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 (2) sign postings were posted on the property by staff. At the time of writing this report no public comments were received.

The applicant and the city have worked diligently to address architectural, site, and landscape design. Prior to this application, the property sat vacant undeveloped for more than ten years after the initial development plan approval in 2008. The development will fill in a much needed retail leakage that the city is currently experiencing. The additional service of retail shops and potential dining will help

lessen the city's retail and dining leakage to competitive cities. Lastly, the city commends the applicant for honoring the city's adopted design guidelines of the Heritage District.

CRITERIA FOR APPROVAL

In accordance with Zoning Code Sec. 505.07 Required Findings, the decision making body shall evaluate the proposed development conforms 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 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 architectural theme that will meet or exceed the Heritage District Design Guidelines.

- 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, color and landscape design is enhanced to achieve high level of visual interest.

- 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.

- 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.

Staff Analysis: The proposed building elevations are visually interesting and provide variety of building design with height variations. A mixture of finishes such as metal, brick and stucco are provided to enhance the pedestrian experience along the frontage of the building.

CONCLUSION

Staff finds the submittal items of DRP19-11 Sonoran Creek to be substantially compliant with Zoning Code, Sec. 505.07.

Staff recommends **Approval of DRP19-11 Sonoran Creek** subject to the following conditions:

1. Construction of the project shall be in conformance to the exhibits submitted with this Development Review Permit (DRP19-11) 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. If, and when the city initiates a mass rezoning of properties to comply with the current Zoning Code (adopted 2014), the applicant shall be willing to participate in the rezoning process of the property to a comparable zoning district of the city's new Zoning Code.
4. 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.
5. 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.
6. Outdoor lighting/building wall mounted lights shall conform to the City lighting standards.
7. Prior to issuance of Certificate of Occupancy, the property owner shall submit a separate comprehensive sign program application.
8. Prior to issuance of Certificate of Occupancy, site inspections will be required and approved by relevant City Departments (Fire, Building Safety, Engineering and Planning).
9. As submitted, 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.
10. 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.
11. Landscape shrubs within sight visibility triangles shall not exceed a height of 24 inches.
12. 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.
13. 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.

14. 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, street lights and open space. Prior to issuance of any building permit; the applicant shall include this note on the final plan for staff review.
15. A shared parking and cross access agreement shall be created and recorded with the land. Recorded document shall be submitted to the city as part of the Building and Civil Permit for the development.
16. 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.
17. 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 City Engineer and installed by the developer.
18. Civil drawings shall be submitted to the City prior for review and approval prior to onsite and offsite construction.
19. The development shall satisfy all traffic related recommendations provided in the Traffic Impact Analysis.
20. 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.
21. 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.
22. 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.
23. An approval letter from ADOT shall be submitted to the City prior to Civil and Building Safety plan submittal for the proposed landscape and lighting off John Wayne Parkway. Applicant shall comply with all City and ADOT requirements.
24. Multi-tenant building (MTB-A) and multi-tenant building (MTB-D) shown on the site plan are not part of this approval (DRP19-11). The property owner/representative will have to submit a separate application for review and construction.
25. All on-site improvements including landscaping and parking shall be installed under DRP19-11 in accordance to the approved phasing plan, shown in Exhibit F. Multi-tenant building (MTB-A) and multi-tenant building (MTB-D) shall be shovel ready sites with concrete curbing installed under DRP19-11 to prevent vehicles from parking and using the shovel ready sites.
26. All off-site improvements are to be included with the development, the extent to which and configurations of are still to be determined at this time by city staff.

27. The proposed faux windows on the elevation plans shall be switched out from box ribbed metal panels, AARA “Dove Grey” to another faux window treatment that appears as a glass window.

ATTACHMENTS

Exhibit A – Narrative

Exhibit B – Site Plan

Exhibit C – Landscape Plan

Exhibit D – Elevations

Exhibit E – Photometric Plan

Exhibit F – Phasing Plan

-- End of staff report --