

**Planning and Zoning
Commission**

STAFF REPORT

AGENDA

TO: CASA GRANDE PLANNING AND ZONING COMMISSION
FROM: James Gagliardi, AICP, City Planner
MEETING DATE: December 3, 2015

REQUEST

Request by Timothy Donhauser of AZ Sourcing, LLC, for the following land use approval for a 49.37-acre parcel known as a portion of Phase 1 of PhoenixMart located at 3578 E Florence Blvd, APN #401-11-009D:

1. **DSA-15-00130:** Conditional Use Permit to allow a 6 ft. high special purpose fence for the purpose of placing development signs and graphics along the Florence Blvd frontage upon the PhoenixMart construction site within the NALTEC (PhoenixMart) Planned Area Development Zone District (PAD).

APPLICANT/OWNER

Timothy Donhauser
 AZ Sourcing, LLC
 7047 E Greenway Pkwy Suite 190
 Scottsdale, AZ 85254

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PhoenixMart, LLC
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HISTORY

- | | |
|-------------------|--|
| December 17, 2007 | PhoenixMart site was annexed into the City as part of the “Overfield Farms Annexation”, Ordinance No. 2488. |
| January 17, 2012 | PhoenixMart PAD was approved, Ordinance No. 1178.260.1 |
| July 1, 2014 | Preliminary Plat approved for PhoenixMart Phase 1, DSA-13-00116 |
| July 15, 2014 | Board of Adjustment approves a Temporary Use Permit (DSA-14-00097) allowing PhoenixMart sculpture and associated signage prior to approval of a Comprehensive Sign Plan. |

November 6, 2014

Phoenix Mart Final Development Plan for the Mart building on Lot 1 was approved under DSA-13-00121.

April 20, 2015

PAD Major Amendment (DSA-14-00190) changing the name from PhoenixMart to *NALTEC (PhoenixMart)* and updating exhibits and land use summary, refining permitted uses and updating the phasing plan.

PROJECT DESCRIPTION

Site Area	585 acres
Current Land Use	Under Construction- PhoenixMart
Existing Zoning	NALTEC (PhoenixMart) PAD

Surrounding Land Use and Zoning

Direction	General Plan Designation	Existing Zoning	Current Uses
North	<i>Commerce & Business</i>	NALTEC (PhoenixMart) PAD	PhoenixMart construction site
South	<i>Neighborhoods</i>	Post Ranch PAD	Undeveloped, farmed land
East	<i>Neighborhoods</i>	UR	single-family residence/ farm
West	<i>Commerce & Business</i>	Overfield Farms PAD	farmed land.

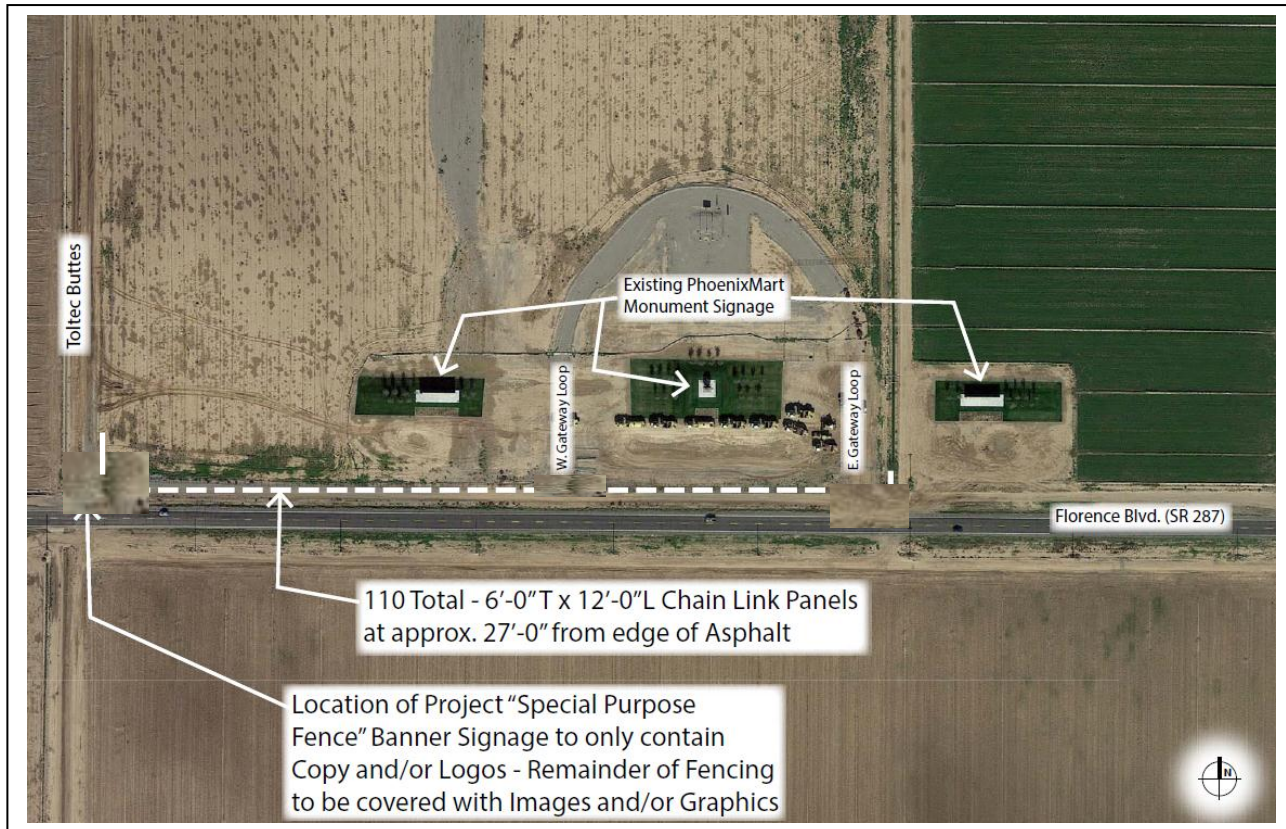
General Discussion

The applicant is requesting approval of a six-foot tall 110 ft.-long chain-link fence placed along the Florence Blvd. frontage of the PhoenixMart construction site (Exhibit A). The applicant proposes to wrap it in perforated vinyl which will display up to 576 sq. ft. of development signage for the project, and the rest of the fence will have graphic images (Exhibit B). The purpose of this fence is to provide visual interest to the site while it undergoes development.

The NALTEC (PhoenixMart) PAD currently does not have an approved Comprehensive Sign Plan. Until this is approved, any signage that is placed on the site is subject to special review consideration. The sculpture and monument signage on the site were approved through a Temporary Use Permit and is required to be removed or incorporated into an approved Comprehensive Sign Plan by July of 2016. In this proposal, the development signage proposed to be placed on the fence along with the graphic art panels can be approved through the consideration of a Conditional Use Permit as a special purpose fence.

Per 17.52.180 of the City Code, fences for special purposes and fences differing in construction, height or length may be permitted in any district by the issuance of a Conditional Use Permit approved by the Planning and Zoning Commission.

SITE CONTEXT/AERIAL



CONFORMANCE WITH CONDITIONAL USE PERMIT CRITERIA

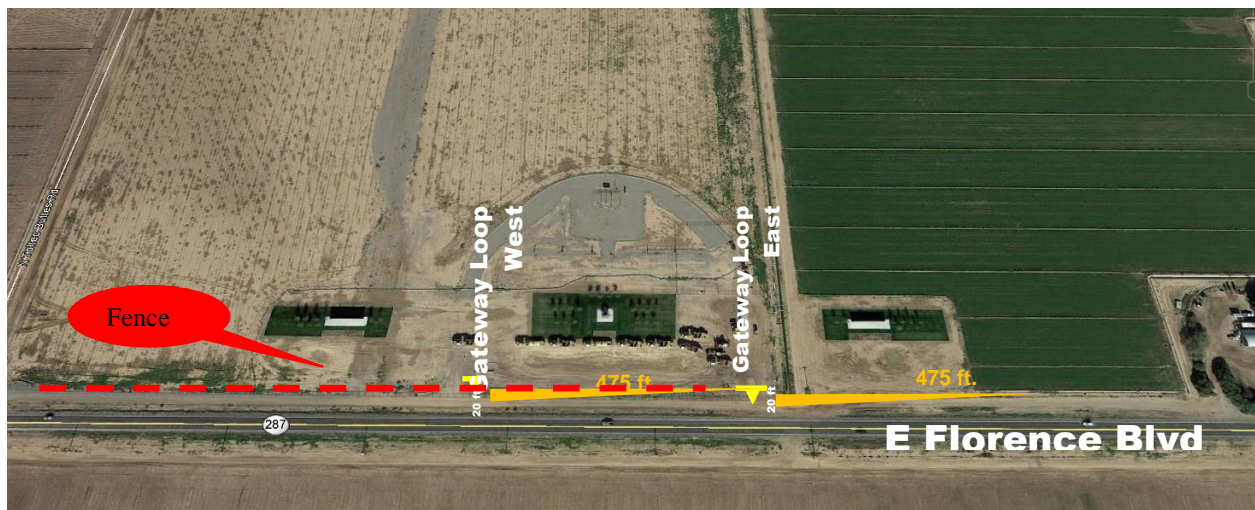
In accordance with Section 17.68.120 of the Zoning Code the Planning and Zoning Commission shall consider the following in review of a Conditional Use Permit:

That the site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces, walls and fences, parking, loading and landscaping are adequate to properly relate the use with the land and uses in the vicinity;

The site is flat; therefore it is conducive to the placement of a fence. The purpose of the fence is to provide graphics and signage that relate to the use in which the fence abuts. The surrounding properties are farmed land; therefore the impact this fence has on adjacent areas is minimal. As a condition of this Conditional Use Permit, however, this Conditional Use Permit will be deemed "expired" in five years from the date of approval or upon the issuance of a certificate of occupancy for the PhoenixMart building, whichever is first.

That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;

There are two openings in the proposed fence at East and West Gateway Loop for construction vehicle access. The placement of this fence was evaluated to ensure it did not lie in the site visibility triangle from these points of egress onto Florence Blvd. Site visibility triangles are those areas near intersections or driveways that should be free of obstructions taller than 3 ft. in height so that a driver's view of oncoming pedestrians and vehicles is not obstructed. The size of this triangular area is determined based on the roadway classification. In the case of Florence Blvd, a major arterial, a triangle is determined by taking a measurement of 475 ft. along the roadway and 20 ft. from the edge of the street. The fence is setback 27 ft. from the street; therefore are no resulting site visibility concerns.



That the proposed use will have no adverse effect upon the abutting property;

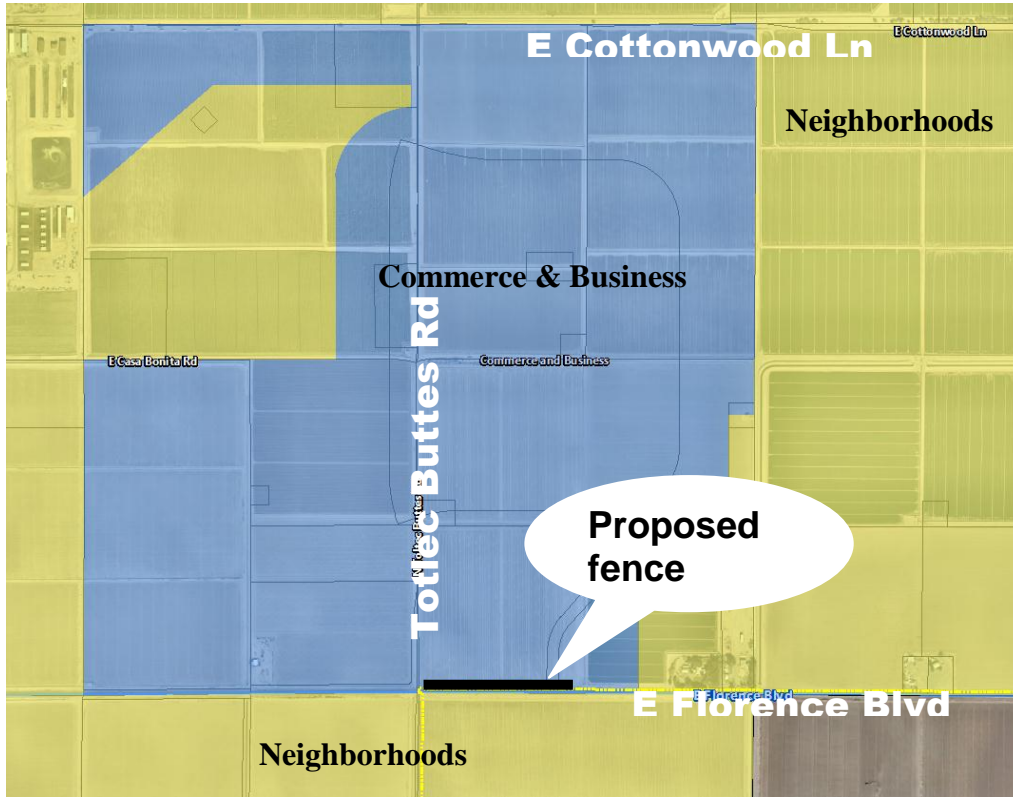
Due to the large expanse of undeveloped land adjacent to this site, this fence will not have adverse effect on abutting property. Because the fence is temporary, however, and it will be wrapped in vinyl - steps are taken to ensure that it does not get displaced due to wind. The vinyl will be perforated and there will be support at the rear of the fence to keep it propped up. As a conditional of the Conditional Use Permit, the fence including its fabric screening is to be maintained and repaired as needed by the owner or his designee.

That the proposed use shall be in conformance with the General Plan;

General Plan 2020 designates this area as *Commerce & Business*. This land use designation promotes “. . . highly visible and accessible areas for intense commercial”; therefore a fence with graphic art helps achieve a highly visible commercial area that is to come with the development of PhoenixMart. The area

to the south of the site on the other side of Florence is within the *Neighborhoods* land use category, which is more residential, oriented; however, this particular area is designated for commercial uses within the undeveloped Post Ranch PAD.

General Plan 2020



That the conditions stated in the approval are deemed necessary to protect the public health, safety and general welfare;

Staff proposes that the conditions stated within the Conditional Use Permit resolution are necessary for these protections (Exhibit C):

- a. The fence including its fabric screening is to be maintained and repaired as needed by the owner or his designee.
- b. The screening is to be perforated and the fence is to be otherwise supported to ensure that there is no displacement of the fence due to storms or winds.
- c. The screening on the fence is to consist of a maximum of 576 sq. ft. of development signage. The remaining

screening can consist of images and colors without any copy or any identifiable logos.

- d. Fencing along the developing parcel requires removal at the time of a certificate of occupancy associated with that parcel is issued or within five years from the date of this approval, whichever occurs first.
- e. No use, including storage, that is not associated with approved construction of the parcels, can ensue beyond the fenced area or elsewhere within the NALTEC (PhoenixMart) Planned Area Development.
- f. The City reserves the right to require that any portion of the fence is to be relocated or removed at any time.

PUBLIC NOTIFICATION/COMMENTS

Notification

Public hearing notification efforts for this request meet the requirements set out by City Code. They include:

- A notice was published in the Casa Grande Dispatch on November 16 2015 at least fifteen (15) days before the December 3, 2015 Planning Commission public hearing.
- Notice was mailed by the City on November 17, 2015 at least fifteen (15) days before the December 3, 2015 Planning Commission public to each owner of property situated within 200 feet of the subject property. An affidavit confirming this is located in the project file.
- A sign was posted by the applicant on the subject site informing the public that this application would be considered by the Planning and Zoning Commission at the December 3, 2015 meeting at least 15 days prior to the hearing, an affidavit confirming this posting was supplied by the applicant.

Inquiries/Comments

At the time of this report, no inquiries or comments have been received.

RECOMMENDED MOTION

Staff recommends the Commission approve the Conditional Use Permit DSA-15-00130 and its associated resolution.

Exhibits

Exhibit A: Site Plan

Exhibit B: Illustrations

Exhibit C: Resolution

Exhibit A- Narrative



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TRANSMITTAL NARRATIVE FOR CONDITIONAL USE PERMIT APPLICATION

PhoenixMart's developer AZ Sourcing would like to add visual project related perforated vinyl banner signs onto the existing special purpose construction chain link fencing along SR287.

These visual screens will be in addition to PhoenixMart's other monument signage to enhance the visual intent of vibrancy and brand identification that PhoenixMart is attempting to achieve. The Board of Adjustment previously approved applications for two (2) Monument Walls with Copy at the future entry road areas (Gateway Loop) and PhoenixMart Bird Monument Sculpture.

Installation of the construction fence screens will not include temporary roadways, temporary parking and visitor site areas.

These construction fence screens will not become part of the comprehensive sign plan for approval at a future date. The application for the conditional use permit is to allow PhoenixMart to embellish the otherwise unattractive chain link special purpose construction fence and provide additional signage presence along SR287 to more clearly explain what PhoenixMart is and where to find more information.

Exhibit B- Illustrations

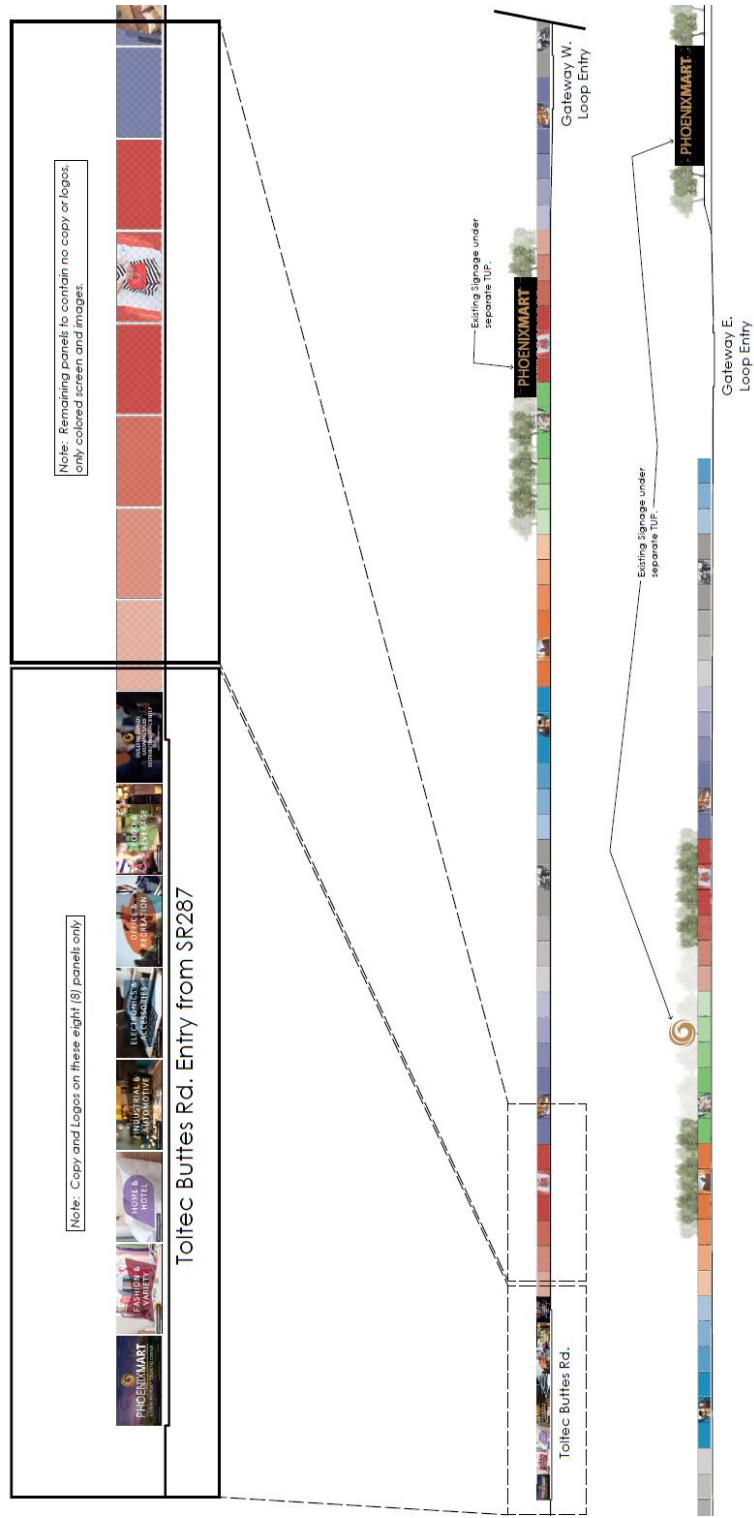




Exhibit C – Resolution

RESOLUTION NO. DSA-15-00130

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION FOR THE CITY OF CASA GRANDE, GRANTING A CONDITIONAL USE PERMIT FOR A SPECIAL PURPOSE FENCE TO BE LOCATED AT 3578 E FLORENCE BLVD, APN #401-11-009D.

WHEREAS, applicant, Timothy Donhauser on behalf of AZ Sourcing for PhoenixMart, LLC, has requested a conditional use permit;

WHEREAS, the conditional use permit is requested for a special purpose fence located along the Florence Blvd. frontage of NALTEC (PhoenixMart) Planned Area Development;

WHEREAS, the property is zoned Planned Area Development;

WHEREAS, Special Purpose Fences are a conditionally permitted use in all zoning districts;

WHEREAS, the Special Purpose Fence requested is a chain link fence six feet in height with fabric screening;

WHEREAS, the Special Purpose Fence requested is found to be necessary to protect, buffer and improve the premises and to serve the special purpose of development signage and graphic art and will not detrimentally effect adjacent property;

WHEREAS, on the 3rd day of December, 2015, the Planning and Zoning Commission of the City of Casa Grande held a public hearing regarding the request for the conditional use permit;

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande considered all public comments made at said hearing;

WHEREAS, the Planning and Zoning Commission of the City of Casa Grande has determined that the proposed use would be appropriate for the proposed location, subject to the conditions set forth in this Resolution;

NOW THEREFORE, BE IT RESOLVED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, as follows:

1. The Planning and Zoning Commission of the City of Casa Grande makes the following findings:

- a. The site for the proposed use is adequate in size and topography to accommodate the use, and all yards, spaces,

walls and fences, parking, loading and landscaping is adequate to properly relate the use with the land and the uses in the vicinity;

- b. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- c. The proposed use will have no adverse effect upon the abutting property;
- d. The proposed use is in conformance with the General Plan; and
- e. The conditions stated in this approval are necessary to protect the health, safety and general welfare.

2. The Planning and Zoning Commission of the City of Casa Grande approves the conditional use permit request by the Applicant subject to the following special conditions which are deemed necessary by the Commission to protect the public health, safety and general welfare:

- a. The fence including its fabric screening is to be maintained and repaired as needed by the owner or his designee.
- b. The screening is to be perforated and the fence is to be otherwise supported to ensure that there is no displacement of the fence due to storms or winds.
- c. The screening on the fence is to consist of a maximum of 576 sq. ft. of development signage. The remaining screening can consist of images and colors without any copy or any identifiable logos.
- d. Fencing along the developing parcel requires removal at the time of a certificate of occupancy associated with that parcel is issued or within five years from the date of this approval, whichever occurs first.
- e. No use, including storage, that is not associated with approved construction of the parcels, can ensue beyond the fenced area or elsewhere within the NALTEC (PhoenixMart) Planned Area Development.
- f. The City reserves the right to require that any portion of the fence is to be relocated or removed at any time.

3. The Planning and Zoning Commission of the City of Casa Grande approves the Conditional Use Permit request by the Applicant subject to the following general conditions:

- a. The right to a use and occupancy permit shall be contingent upon the fulfillment of all general and special conditions imposed by the conditional use permit procedure.
- b. That the special conditions shall constitute restrictions running with the land and shall be binding upon the owner of the land, his successors and assigns.
- c. That all conditions specifically stated under any conditional use listed in this chapter shall apply and be adhered to by the owner of the land, his successors or assigns.
- d. That the special condition shall be consented to in writing by the applicant.
- e. That the resolution granting the application, together with all consent forms, shall be recorded by the county recorder.

PASSED AND ADOPTED by the Planning and Zoning Commission of the City of Casa Grande, Arizona, this _____ day of December, 2015.

Planning & Zoning Commission Chairman

Planning and Development Director

ATTEST:

APPROVED AS TO FORM:

City Clerk

Assistant City Attorney

CONSENT TO THE SPECIAL CONDITIONS:

Applicant, Timothy Donhauser of AZ Sourcing, and the current property owner PhoenixMart, LLC, hereby consent to the special conditions as enumerated above in Section 2 as they relate to this request for a conditional use permit for a special purpose fence located along a portion of NALTEC (PhoenixMart) Planned Area Development, also known as 3578 E Florence Blvd, APN #401-11-009D.

Applicant Signature,
Timothy Donhauser

Property Owner Signature,
PhoenixMart, LLC