



Planning Staff Report

DATE: December 15, 2016

TO: Planning Commission

FROM: Tabitha Perry, Assistant Planning Director
PRESENTED BY: Thomas Ritz, AICP, Senior Planner

SUBJECT: **REZONING (ZON) APPLICATION ZON16-04: FRYE
BUSINESS PARK – 6502 NORTH SARIVAL AVENUE**

REQUEST: Rezone from A-1 (Agricultural) to M-1 (Light Industrial).

APPLICANT/OWNER: Clear Channel Outdoor / Tony Frye, Frye Family LLLP.

REQUIRED ACTION: The Planning Commission must conduct a public hearing and determine if this request is in the best long-term interest of this neighborhood and consistent with the General Plan.

RECOMMENDATION: The Planning Commission should recommend approval subject to stipulations.

PROPOSED MOTION: Move to recommend approval of ZON16-04 subject to the stipulations contained in the staff report.

SUMMARY: This is a request to rezone the approximately 55 acre property to M-1 (Light Industrial) to implement the General Plan Designation of Luke Compatible Land Use (LCLU) and provide a zoning classification suitable for the development of a future business park within the 65 ldn and 70 ldn noise contours of Luke Air Force Base.

COMMISSION ACTION: Commissioner Harper MADE A MOTION to RECOMMEND APPROVAL OF ZON16-04, subject to staff report stipulations. Motion seconded by Commissioner Lenox. The motion was APPROVED with a vote of 6 to 0.

DETAILS OF REQUEST:

General Plan Designation:

The property is designated as Luke Compatible Land Use (LCLU).

Property Location and Size:

The property is located at 6502 North Sarival Avenue, one-quarter mile south of the southeast corner the Loop 303 and Glendale Avenue and is approximately 55 acres in size.

History:

The property was annexed into the City of Glendale by annexation case AN-198 on March 22, 2016. The property was given the City of Glendale zoning designation of A-1 (Agricultural) zoning which most closely matched the existing Maricopa County zoning of RU-43 (Rural Residential) at that time.

The property owner has been a participant in the Loop 303 Corridor Group, which is working to fund a viable private provider (EPCOR) of sewer service to the Loop 303 Corridor.

Design Review:

As no specific development proposal has been submitted at this time, no design review application has been submitted.

Project Details:

The property is currently farmed and vacant. Rezoning the property to M-1 will permit the development of industrial and other uses which are compatible with the City of Glendale General Plan designation of Luke Compatible Land Uses and comply with State Statutes concerning territory in the vicinity of a military installation. It will eliminate residential land uses as a permitted use.

The property is bounded by farm land to the north, part of which is proposed to be developed as a building to be used for the storage and refrigeration of recently harvested vegetables. To the east of the property there are the homes of several Frye family members, and across Sarival Avenue a dairy. South is farmland, half recently annexed, rezoned to M-1 and is entitled as the Sabre Business Park, also for industrial uses. West is the Loop 303 freeway. This property has about a quarter-mile of frontage along the Loop 303.

CITIZEN PARTICIPATION TO DATE:

Applicant's Citizen Participation Process:

On June 3, 2015, the applicant mailed notification letters to adjacent property owners and interested parties. The applicant did not receive any response regarding the request. Planning did not receive any response regarding the request either. The applicant's Citizen Participation Final Report is attached.

Planning Commission Public Hearing:

A Notice of Public Hearing was published in *The Glendale Star* on November 24, 2016. Notification postcards of the public hearing were mailed to adjacent property owners and interested parties on November 23, 2016. The property was posted on November 29, 2016.

STAFF FINDINGS AND ANALYSIS:

Findings:

- The proposed amendment is consistent in substance and location with the development objectives of the General Plan.
- The proposal will be compatible with other existing and planned development in the area.
- The proposed amendment furthers the public health, safety, and general welfare of the citizens of Glendale.
- The proposed amendment will include any conditions necessary to mitigate any adverse impacts on the businesses, persons, or properties adjacent to the requested amendment.
- A finding is made that Section 3.812 (Adequate School Facilities) of the Zoning Ordinance is not applicable.

Analysis:

- Rezoning to M-1 is consistent with the General Plan.
- The M-1 zoning district is the most appropriate zoning district for these properties. Frye Business Park is located within the Luke Air Force Base noise contours of 65 ldn and 70 ldn. Industrial land uses for these properties are appropriate for this region considering the impact from daily activities conducted on the base and the close proximity to the base runway.
- All applicable city departments have reviewed the application and recommend approval of the application.

RECOMMENDATION:

The Planning Commission should recommend approval of this request, subject to the following stipulations:

1. Dedication of additional right-of-way on Sarival Avenue to provide a total half-width of 65 feet shall be made before building permits are issued for any development on the property.
2. All half-street improvements on Sarival Avenue adjacent to the site must be completed with development of the property. Required improvement standards are determined by the City of Glendale Design Guidelines for Site Development and Infrastructure Construction.


ATTACHMENTS:

1. Applicant's Narrative, dated July 12, 2016.
2. Citizen Participation Final Report (without mailing labels), dated July 12, 2016.
3. Vicinity Zoning Map.
4. Aerial Photograph, dated October 2016.

PROJECT MANAGER:

Thomas Ritz, AICP, Senior Planner (623) 930-2588
tritz@glendaleaz.com

REVIEWED BY:



Planning Director

TR/df



Development Services Director

Project Narrative for Rezoning

Frye Business Park

6502 North Sarival Avenue
Case # ZON16-04



Owner: Frye Family, LLLP
6502 N. Sarival Ave, Litchfield Park, AZ 85340

Rep: Jason Mendoza, Clear Channel Outdoor
2325 E. Camelback Rd, Phoenix, AZ 85016
623-326-1993

Introduction

Request

On behalf of the owners, Frye Family, LLLP, I am proposing a request for rezoning approximately 54.9 acres located generally south of the SEC of SR303 and Glendale Avenue from A-1 to M-1. The subject property is owned by the Frye Family, LLLP and identified as Maricopa County Assessor Parcel Number 501-03-004H.

General Plan Designation

The property is designated as LCLU (Luke Compatible Land Use).

History

The property owner recently entered into an annexation agreement with the City of Glendale and City Council unanimously approved annexation of the subject parcel. The adjacent south parcel has already been annexed into the City and were also rezoned to M-1. This property was associated with a project called Sabre Business Park and was previously approved M-1. We are proposing to rezone the subject property from A-1 to M-1 and bring it in conformance with the current City of Glendale General Plan.

Current Conditions

Land Use

The City of Glendale General Plan Land Use designation for this parcel is Luke Compatible Land Use (LCLU). The Luke Compatible Land Use Category is described in the General Plan as follows:

The Luke Compatible Land Use Area category designation is adjacent to Luke Air Force Base and is delineated by the 1988 JLUS 65 ldn noise contour created by military flight operations. The General Plan recognizes and supports the state legislation related to the continued, viable operations of military installations. Residential and other noise sensitive land uses, particularly those which include large gatherings of people, are discouraged in the LCLU. Existing, approved noise-sensitive uses are strongly encouraged to employ additional sound attenuation through select building materials and design. Retention of agricultural uses and future industrial development are supported by this category to afford viable, economic use of property, and as a protection of public health and safety.

Zoning and Entitled Uses

Currently, the property is located within the City of Glendale and zoned A-1.

Utility Infrastructure

Water

The Sabre Business Park properties are located within the Adaman Mutual Water Company service area, which encompasses the area bound by Northern Avenue, Reems Road, Camelback Road and SR303. A number of agreements have been entered into that address both water and sewer provisions.

Sewer

The Sabre Business Park properties are located within Global Water's proposed sewer service CC&N area, which Global is currently establishing. A number of agreements have been entered into that address both water and sewer provisions.

Description of Proposal

The purpose of this proposal is to request and amend the City of Glendale Zoning Map for the subject parcel from A-1 to M-1 (Light Industrial). Rezoning to M-1 will bring the property into conformance with the City of Glendale General Plan Designation on the property, which is LCLU (Luke Compatible Land Use Area).

Accessibility of the Property

The property is currently being used as agricultural farmland. The property can be accessed from Sarival Avenue.

Relation to Surrounding Properties

The surrounding parcels of the property consist of rural and industrial zoned districts. The current surrounding uses of the property are agricultural and industrial.

North – Agricultural farmland zoned RU-43 within Maricopa County. No adverse effects are expected.

South - Agricultural farmland zoned M-1 within the City of Glendale. No adverse effects are expected.

East – Residential housing community in which consists of four homes zoned RU-43 within Maricopa County. Two of the four homes are owned by the Frye Family. No adverse effects are expected.

West – Loop 303 Freeway, West of Loop 303 is agricultural farmland RU-43 and industrial warehouses within Maricopa County. No adverse effects are expected.

Conclusion

This request, in my opinion, will positively impact and complement the surrounding business industrial area by providing a compatible use to the surrounding area in which will soon offer services and employment in the general area.

Exhibit A Vicinity Map

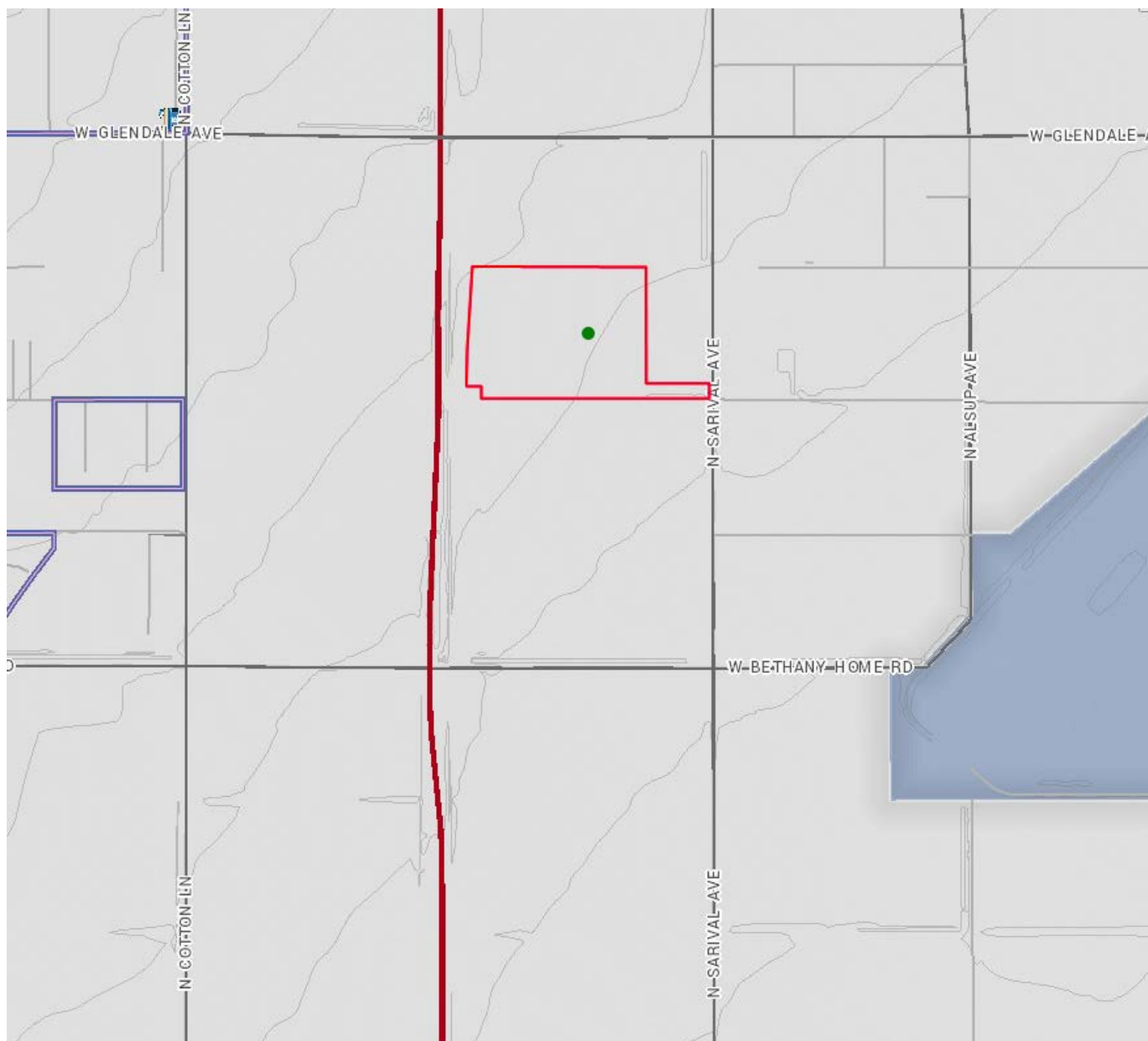


Exhibit B
Aerial Photos



Exhibit C Glendale General Plan



GENERAL PLAN LAND USE MAP

LAND USE DESIGNATIONS

Low Density Residential: 0 - 1 du/acre	Entertainment Mixed-Use
Low Density Residential: 1 - 2.5 du/acre	Corporate Commerce Center
Medium Density Residential: 2.5 - 3.5 du/acre	Business Park
Medium Density Residential: 3.5 - 5.0 du/acre	Light Industrial
Medium-High Density Residential: 5.0 - 8.0 du/acre	Heavy Industrial
Medium-High Density Residential: 8.0 - 12.0 du/acre	Institutional
High Density Residential: 12.0 - 20.0 du/acre	Educational
High Density Residential: 20.0 - 30.0 du/acre	Parks and Open Space
Office	Public Facility
General Commercial	Lake Compatible Land Use Area
Planned Commercial	

Municipal Planning Area Boundary
Luke ARB 65 LDN

Note: Descriptions of each land use designation are found in the General Plan Land Use Element

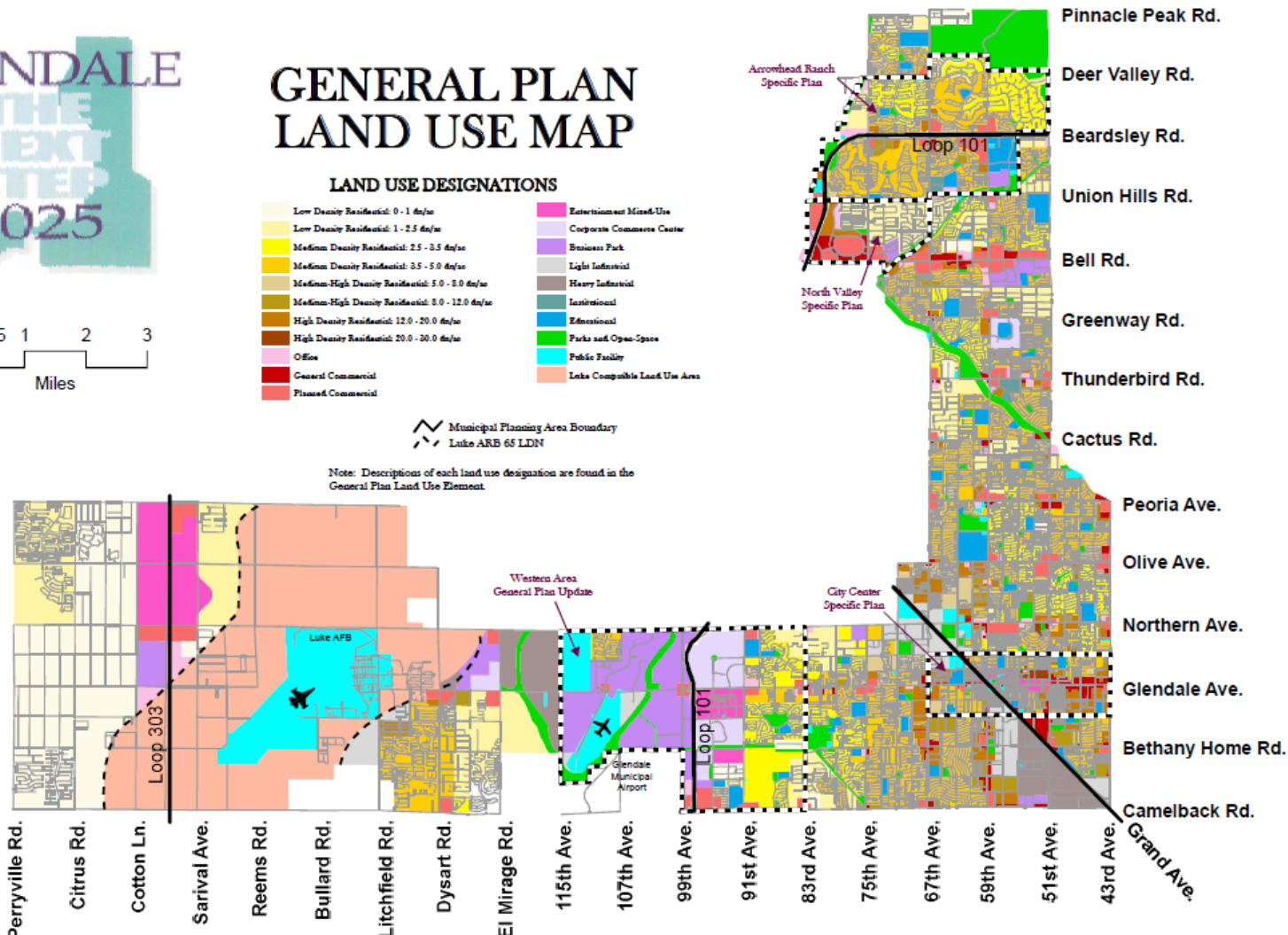


Exhibit D Glendale General Plan Map 22

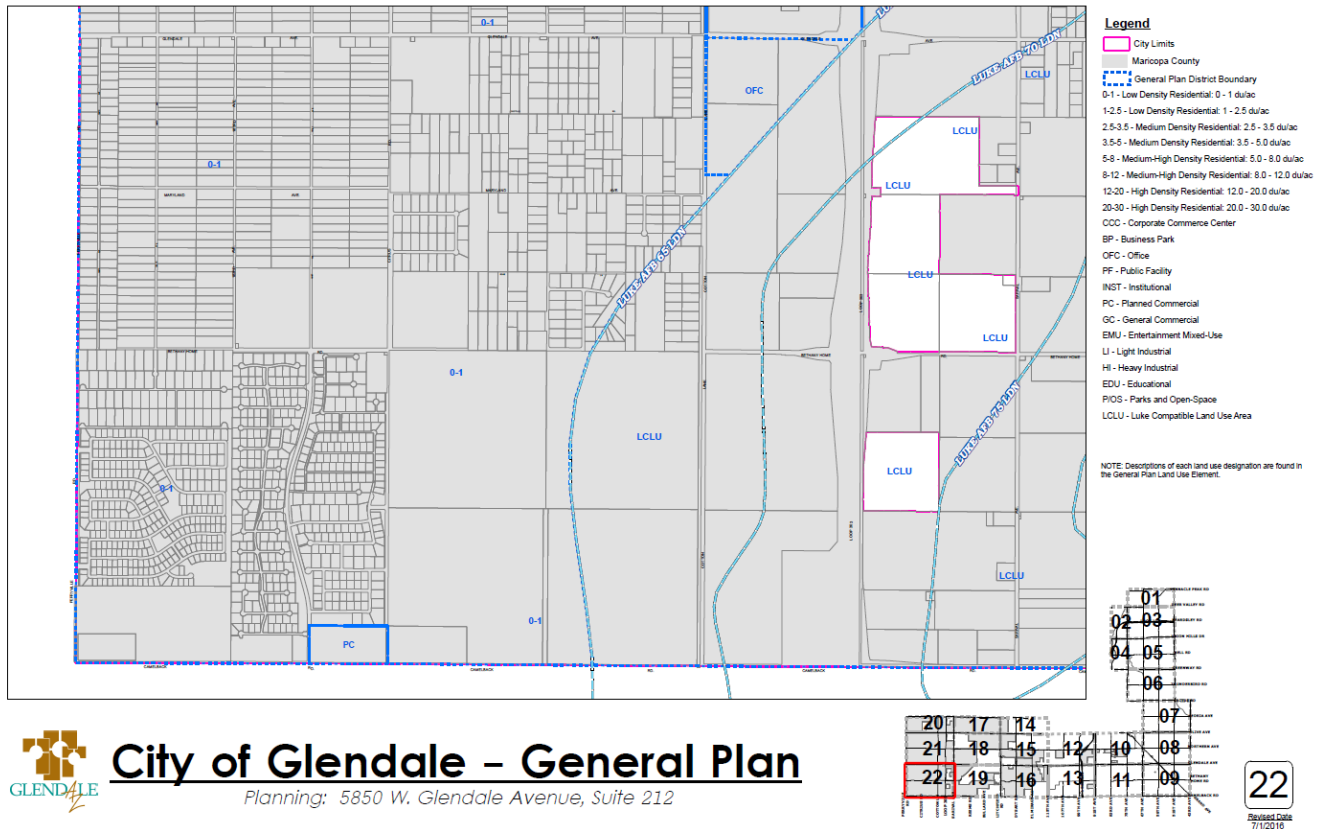


Exhibit E
Legal Description

BEGINNING at the East quarter corner of said Section 12;

Thence South 89 degrees 58 minutes 44 seconds West, along the South line of said Northeast quarter, a distance of 2635.59 feet to the center of Section 12;

Thence North 00 degrees 09 minutes 20 seconds West, along the West line of said Northeast quarter, a distance of 1302.84 feet to the North line of the South half of the said Northeast quarter;

Thence North 89 degrees 59 minutes 01 seconds East along said North line, a distance of 1977.05 feet;

Thence South 00 degrees 00 minutes 24 seconds West, a distance of 1152.68 feet;

Thence North 89 degrees 58 minutes 44 seconds East, a distance of 662.01 feet to the East line of said Northeast quarter;

Thence South 00 degrees 04 minutes 40 seconds East, along said East line, a distance of 150.00 feet to the POINT OF BEGINNING;

EXCEPT any portion as described in Docket 1180, page 528, records of Maricopa County, Arizona; and

EXCEPT all subterranean waters beneath said premises not ~~domestic~~ domestic, as distinguished from irrigation, use thereon as granted in Deed recorded in Docket 1180, page 517, records of Maricopa County, Arizona.

Except that portion lying West of the following line:

Commencing at an aluminum cap stamped "LS 21080" marking the Center quarter corner of said Section 12, being North 89 degrees 44'53" West 2635.75 feet from a 2003 Maricopa County aluminum cap in hand hole stamped "LS 29891" marking the East quarter corner of said Section 12;

Thence along the East-West mid section line of said Section 12 South 89 degrees 44' 53" East 326.89 feet to the Point of Beginning;

Thence North 00°58'09" East 111.12 feet;

Thence North 89°01'51" West 150.00 feet;

Thence North 00° 58'09" East 363.86 feet;

Thence North 03°57'26" East 1732.57 feet;

Thence North 00°43'22" East 148.30 feet;

Thence North 88° 30'05" East 153.73 feet;

Thence North 11°08'32" East 153.73 feet;

Thence North 88° 30'05" East 106.44 feet to the Point of Ending;

Thence North 00°15'46" East 92.74 feet to the North line of said Section 12, being South 89°44'14" East 591.26 feet from a 2003 Maricopa County aluminum cap stamped "LS 29891" marking the North quarter corner of said Section 12.

Citizen Participation Plan – Final Report

Frye Business Park

6502 North Sarival Avenue

Case # ZON16-04



Owner: Frye Family, LLLP
6502 N. Sarival Ave, Litchfield Park, AZ 85340

Rep: Jason Mendoza, Clear Channel Outdoor
2325 E. Camelback Rd, Phoenix, AZ 85016
623-326-1993

1. Cover Page.

- a. See previous page

2. Brief Description of Project.

- a. The requested City of Glendale M-1 Zoning will bring the property into conformance with the City's General Plan and complement existing M-1 zoned properties nearby.

3. Notification Technique.

a. Written Correspondence

- i. A notification letter and aerial map was sent out to all interested parties within a 500' radius of the subject site on June 3, 2015. See recommended notification map attached as Exhibit A.

b. Ongoing Dialogue

- i. None

4. Date that notification letter and meeting notices were mailed.

- a. The notification letter was mailed on June 3, 2015. An Affidavit of Mailing is attached as Exhibit B along with the copy of the notice letter.

5. Identity specific area of notification.

- a. Notifications were sent to all property owners found within the recommended notification area. That area consisted of all properties within 500' of the property boundaries. Notifications were also sent to any Registered Neighborhood Groups/Homeowner's Associations and all those named on the Interested Parties list as well as those represented on the Additional Notification lists provided by the City of Glendale.
- b. The City provided Recommended Notification Area Map is included in Exhibit A.
- c. A complete mailing list and map of the actual notification area is attached as Exhibit H

6. List names of HOA's and Neighborhood Group, Property Owners and the "Interested Parties" list that were notified.

- a. Please see Exhibits A, B and C. A complete mailing list is attached as Exhibit C.

7. Identify dates and location of all meetings where citizens were invited to attend and discussed the proposal.

- a. Citizen Participation Plan Schedule

- i. June 3, 2015 – Citizen Participation Plan submitted to Planner
- ii. June 10, 2015 – Plan Implementation Date
- iii. 30 days from the mailing date of June 3, 2015 – Time allowed for citizen input
- iv. July 6, 2015 – Submittal date for Citizen Participation Final Report
- b. As of May 11, 2016, there have been no concerns raised, no letters for or against this proposed project, nor have there been any issues raised by any of the interested parties within the neighborhood notification area. The applicant did not hold any meetings to discuss concerns, as there were none raised.

8. Identify number of people noticed and number of people who actually participated.

- a. Total of 63 letters were sent out to interested parties as provided by the City of Glendale, which included a radius of 500' around the subject site. (See Exhibit C)
- b. Of those 63 letter, 60 were City of Glendale residents directly impacted by this project, 1 was the Arizona Republic, 1 was Valley Partnership and 1 was the representative for the Peoria Unified School District.
- c. Of those 60 individuals who were notified, 2 are current City of Glendale City Council Members, 1 former City of Glendale City Council Member and 1 former Mayor of the City of Glendale.

9. List concerns, issues, and problems expressed by participants.

- a. None

10. Describe how each concern was addressed and how concerns will continue to be addressed.

- a. No concerns expressed.

11. State concerns, issues, and problems that we are unable to address.

- a. No concerns expressed

12. Specifically state how this proposal has been revised to address concerns.

- a. No concerns expressed

13. Attach copies of all materials pertaining to the notification and meeting process.

- a. All copies are attached as Exhibits A, B and C.

14. Attach complete mailing list lused to notify individuals.

- a. This list is attached at Exhibit C.

Exhibit A
Recommended Notification Map

Starts on next page

RECOMMENDED NEIGHBORHOOD NOTIFICATION AREA	
NAME OF REQUEST:	FRYE REZONING
LOCATION:	6502 North Sarival Avenue
The applicant is requesting rezoning to M-1 (Light Industrial) to permit the erection of billboards.	
ZONING DISTRICT: R-43 (county)	COUNCIL DISTRICT: MPA

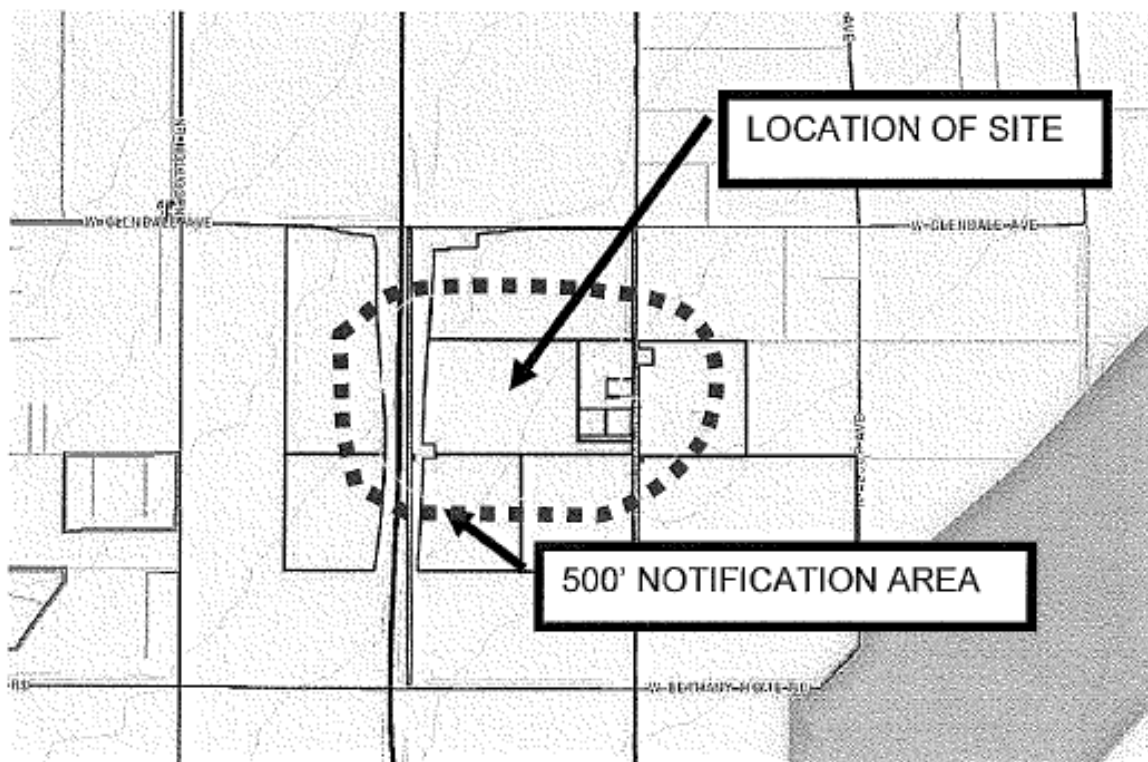


Exhibit B
Notification Letter and Affidavit of Mailing

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May 26, 2015

Tony Frye
6512 N Sarival Ave
Litchfield Park, AZ 85340
Fax: 623-935-5377

Dear Neighbor:

This letter is to inform you that I am applying for a rezoning application with the City of Glendale. The property is at 6502 North Sarival Avenue in the Yucca District.

Our family property sits on 60 acres with ample exposure to the new Loop 303 freeway. The current zoning is rural due to the farming that has dominated this area for generations. The new freeway brings more uses in the realm of possibility, which is why we are asking for a rezoning of our property to permit an M-1 (light industrial) zoning category. This zoning category provides us the most flexibility when it comes to potential uses. ADOT has estimated that 13,000 motorists use the Loop 303 today and that number is only going to rise exponentially over the next 20 years. Our aim is to acquire the property rights to construct two billboards along the Loop 303 frontage which will provide the opportunity for advertisers to highlight some of the upcoming commercial developments that are helping bring awareness to the west valley cities (i.e. Vistancia, New Auto Mall & 1.3 million sqft of retail development).

Please write, fax or call me at the contact information above. You may also contact Thomas Ritz with the City of Glendale at 623-930-2588.

Sincerely,

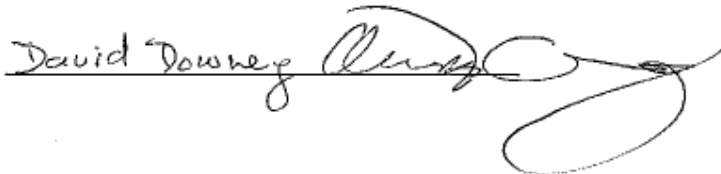


Tony Frye

NEIGHBORHOOD NOTIFICATION LETTER
AFFIDAVIT OF MAILING

Project Name: Frye Rezoning

I, David Downey, certify that I am the authorized applicant/representative to the City of Glendale for the above application, and do hereby affirm that notice as required for the case noted above has been completed in accordance with the Citizen Participation Process in the City of Glendale's Zoning Ordinance, and a copy of the letter and mailing labels has also been submitted.

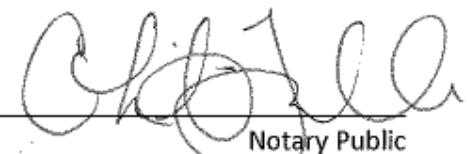
Applicant/Representative: David Downey 

STATE OF ARIZONA

SS.

COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 3rd day of June, 2015.



Notary Public

My Commission Expires: Jan. 26, 2018

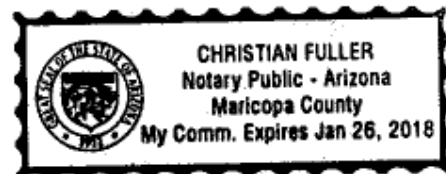
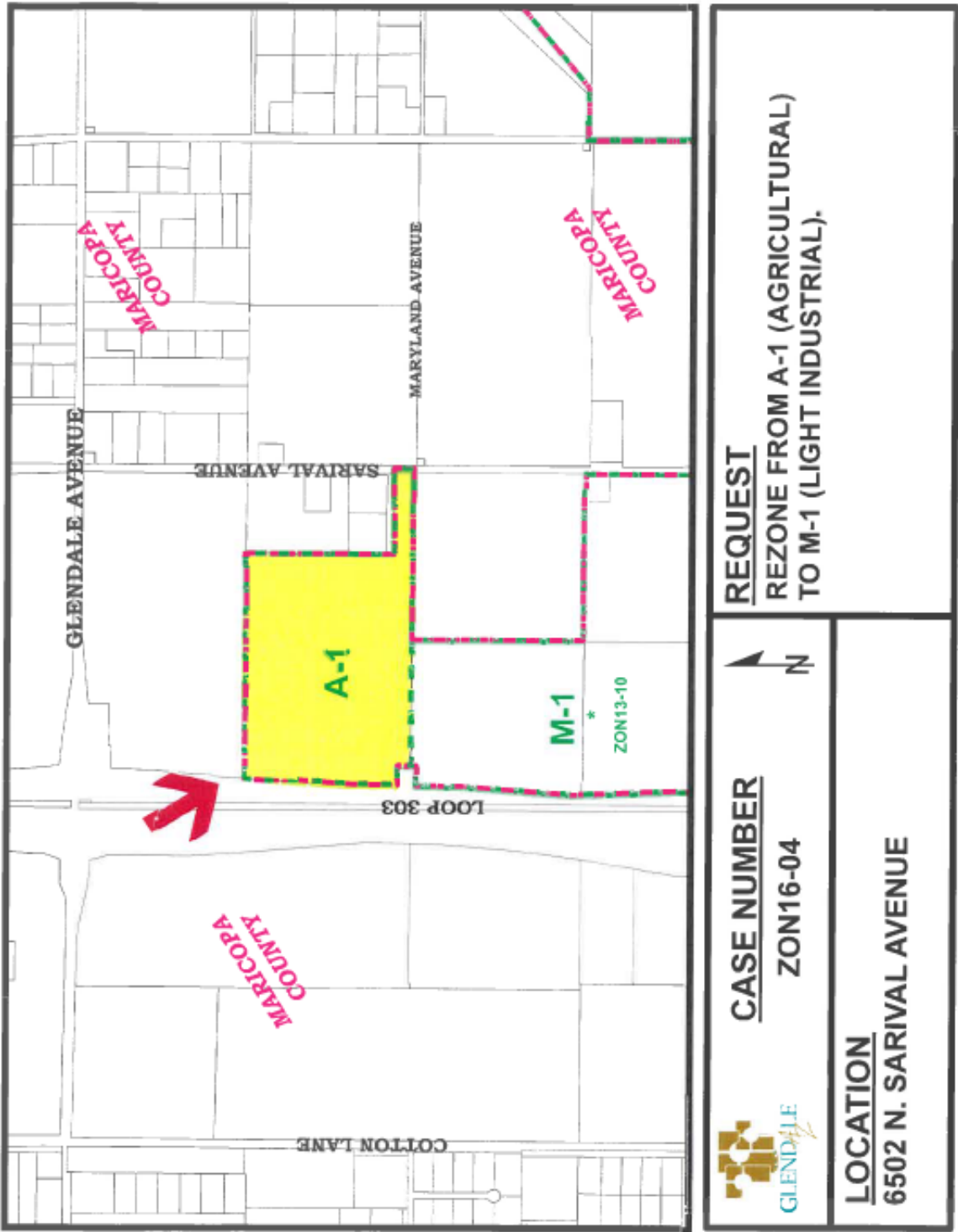
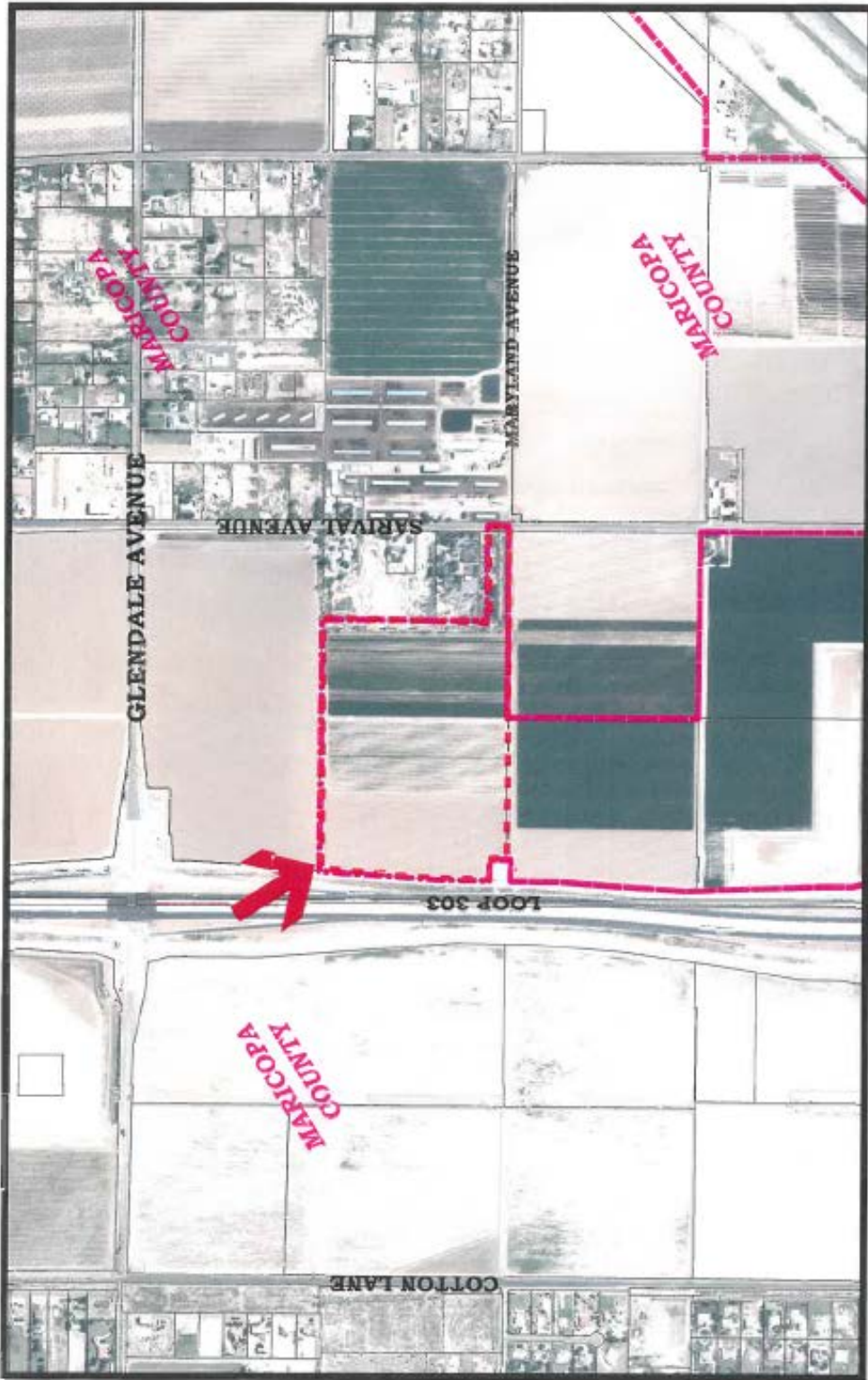


Exhibit C
Complete Mailing List and Map of the Actual Notification Area

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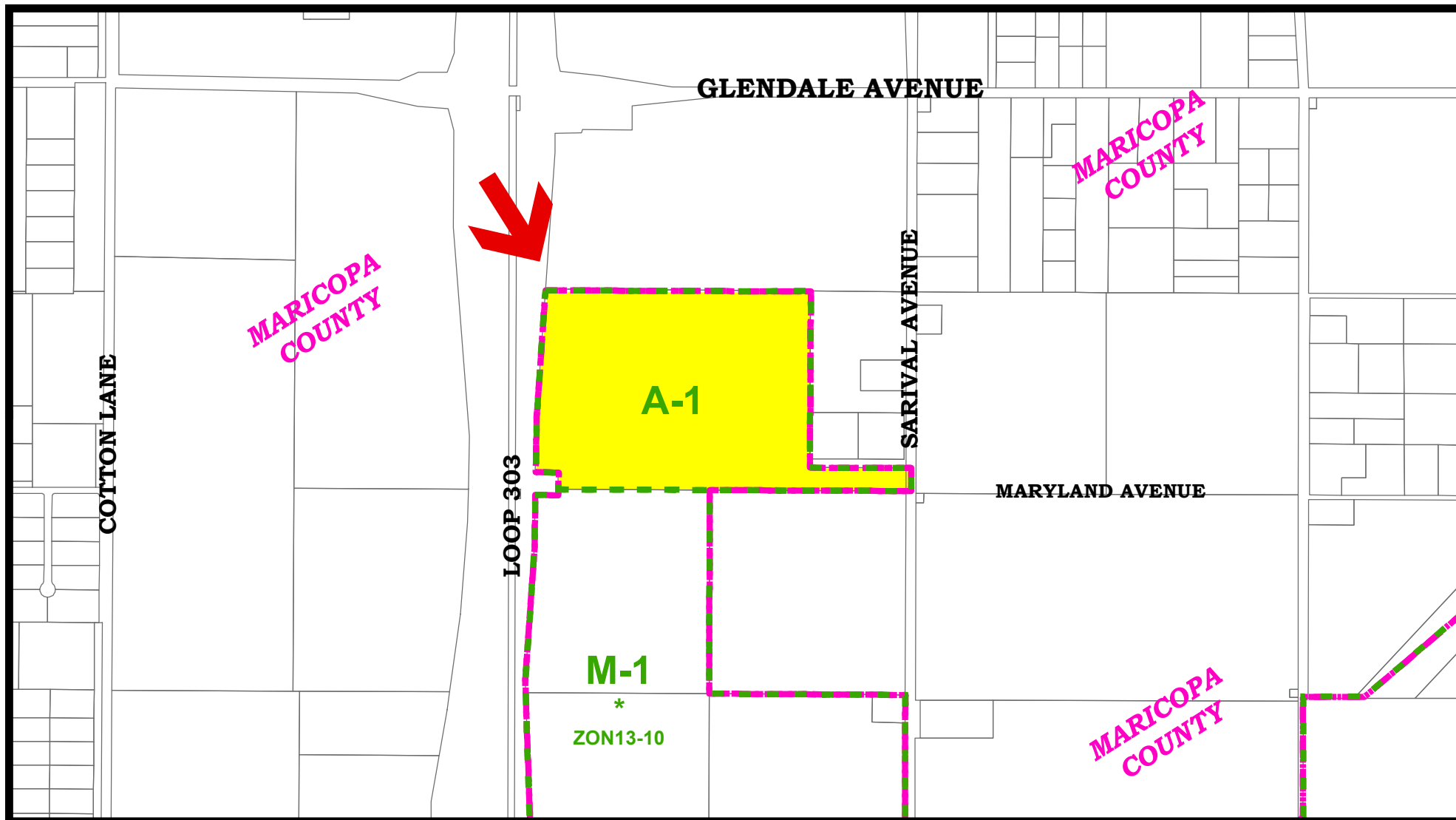


Aerial Date: October 2016



CASE NUMBER
ZON16-04





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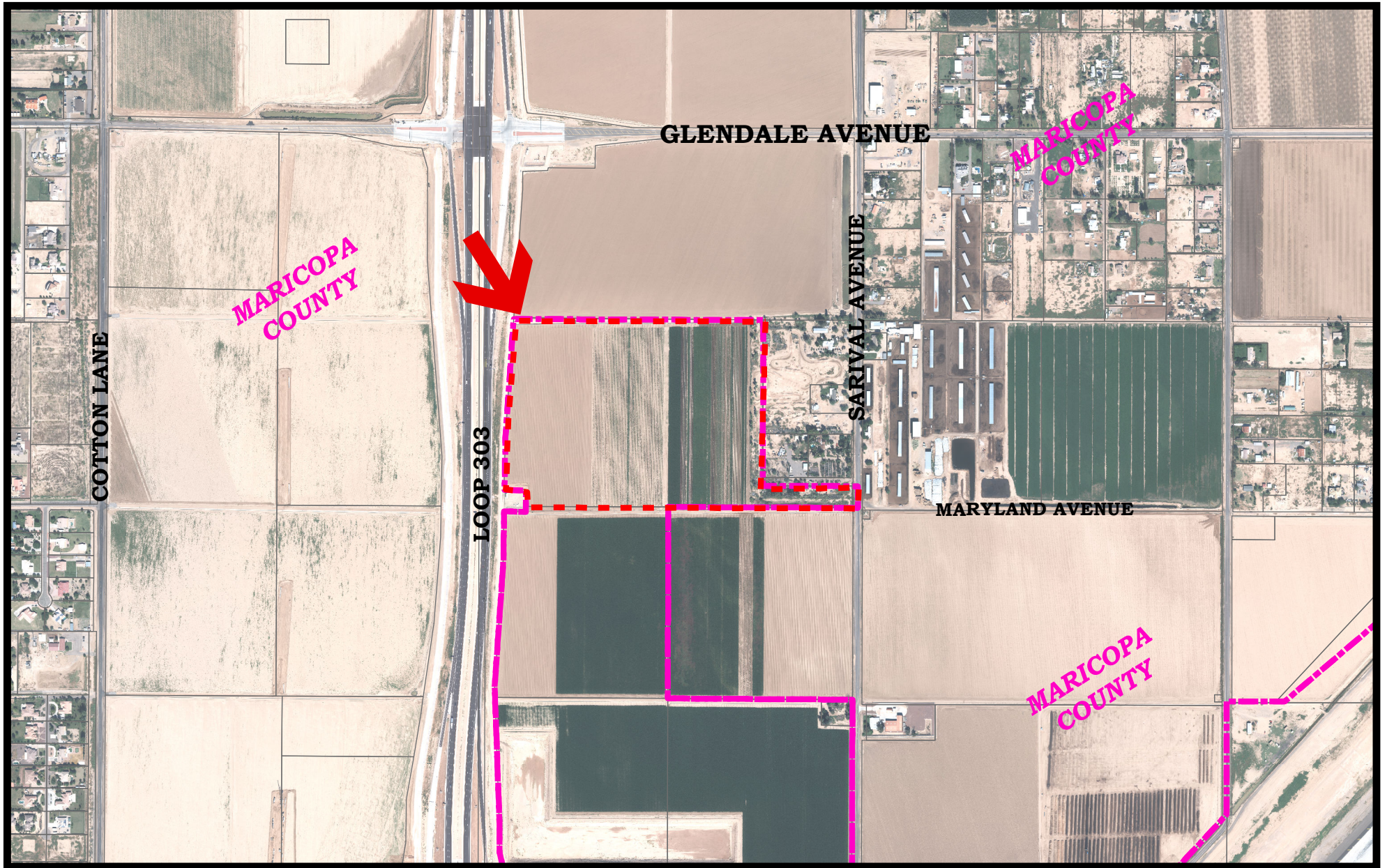


LOCATION

6502 N. SARIVAL AVENUE

REQUEST

**REZONE FROM A-1 (AGRICULTURAL)
TO M-1 (LIGHT INDUSTRIAL).**



Aerial Date: October 2016



CASE NUMBER
ZON16-04

