



Pre-Applications

Pre-Application Narrative

Pre-Application Cash Transmittal

CITY COUNCIL REPORT



Meeting Date: March 20, 2012
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

QuikTrip #1418
1-UP-2011

Request to consider the following:

1. Find that the Conditional Use Permit criteria have been met and adopt Resolution No. 8982 approving a Conditional Use Permit for a Gas Station on the southerly 2.49 +/- acre portion of a 5.11 +/- acre site located at 8798 E. McDowell Road, with General Commercial District (C-4) zoning.

OWNER

Astar Pima Road Scottsdale LLC
 860-815-5937

APPLICANT CONTACT

John Berry
 Berry & Damore LLC
 480-385-2727

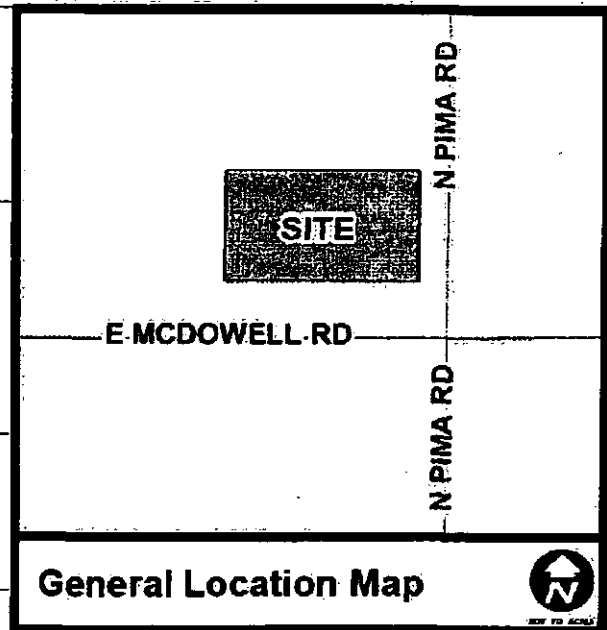
LOCATION

8798 E. McDowell Road

BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Mixed-Use Neighborhoods, which are located in areas with strong access to multiple modes of transportation and major regional access and services, and have a focus on human scale development. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.



Action Taken _____

These attributes have been closely guarded and nurtured by programs and initiatives intended to protect the community's aesthetic qualities and ensure design excellence. However, increasing development pressure for corporate driven design solutions threaten the very essence of what makes Scottsdale a desirable and unique place. The purpose of the Gas Station and Convenience Store guidelines is to provide guidance for applicants, decision-makers, and staff in the development, review, and consideration of gas station and convenience store proposals. The guidelines are applicable to all gas station and convenience store types. The guidelines are to be applied throughout the community and are structured to respond to the varying conditions and constraints inherent to individual site and contextual settings.

Zoning

The site is zoned General Commercial (C-4) District which serves as the location for the heaviest type of activities found in the city, including warehousing, wholesaling and light manufacturing. Gas stations are allowed with City Council approval of a Conditional Use Permit.

Context

The subject property is located at the northwest corner of McDowell Road and Pima Road. The Mirasol Condominium community are neighbors to the north. Located to the west are single-family residences and a convenience store. Located across McDowell Road to the south is a vacant automobile dealership, and across Pima Road to the east is vacant land in the Salt River Pima-Maricopa Indian Community.

Please refer to context graphics attached.

Adjacent Uses/Zoning:

North: Mirasol Condominiums in the Multi-Family Residential (R-5) zoning district
West: Single-Family Residences in the Single-Family Residential (R1-7) zoning district and Convenience Store in the Highway Commercial (C-3) zoning district
South: Vacant automobile dealership in the General Commercial (C-4) zoning district
East: Vacant land in the Salt River Pima-Maricopa Indian Community

Key Items for Consideration:

- Conditional Use Permit criteria
- Gateway to South Scottsdale and McDowell Road economic revitalization corridor
- 2.62 acres portion of site behind gas station to remain vacant
- Gasoline Station and Convenience Store Design Guidelines
- Quality of site design
- Neighborhood opposition/support
- Planning Commission heard this case on February 22, 2012, and recommended approval with a unanimous vote of 6-0.

- No excessive or significant noise, smoke, odor, dust or vibration is anticipated to be generated from the proposed use, but lighting impacts may increase. Pursuant to the Gas Station and Convenience Store Design Guidelines, canopy height as measured from finished grade to the lowest point on the canopy fascia should not exceed 13 feet – 9 inches, and the overall height of the canopy should not exceed 17 feet. The proposed canopy (14'-6" low point and 18'-0" total height) exceeds these heights, therefore, a stipulation is included requiring the height of the canopy to be consistent with the Guidelines, and the applicant concurs.
2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
- Parking for the proposed site requires 23 spaces; 48 spaces are proposed, creating large expanses of hardscape that contributes to a heat island effect. The McDowell Corridor Revitalization Task Force recognized large expanses of concrete as a weak attribute that is harmful to achieving the objective of the Corridor surpassing "its original greatness as a place to live, work and play".
 - The site plan features a large, 16-pump gasoline canopy fronting McDowell Road, 30-foot drive aisles, and a larger number of parking spaces than is required by the City. To mitigate the visual impacts of a large canopy along the street frontage and large amount of hardscape, additional land area from the north portion of the site has been incorporated into the gas station site in order to provide more open space than required. Additional mitigation measures incorporated include a triangular-shaped easement at the intersection to provide a corner gateway design feature. The developer will also construct and maintain a new transit stop on the McDowell frontage, and a minimum six-foot wide pedestrian connection will be provided from the transit stop to the south building entrance. Six-foot wide pedestrian connections will also be provided from Pima Road to the east building entrance and from the west alley and McDowell Road frontage to the west building entrance. Bollards and raised planters will surround three sides of the building, and two picnic tables will provide outdoor seating. A trash enclosure will be located at the northwest corner of the site.
 - The 16-pump gasoline station and convenience store will generate additional traffic to the site and through the intersection. The applicant has agreed to a stipulation to construct a westbound deceleration lane on McDowell Road, and a southbound right-turn lane and deceleration lane on Pima Road at the McDowell Road intersection. A stipulation is included limiting the site to a maximum of one site driveway on Pima Road, and restricted the access to right-in, right-out at the time that Pima Road is improved to four lanes, and a raised median (unless otherwise approved by the Transportation Director at the time that construction plans are finalized). Regarding McDowell Road, a stipulation is included limiting the site to a maximum of one site driveway via the existing alley along the west side of the site. With these improvements, it is anticipated that the increased traffic volume will not create unacceptable levels of service at the intersection.
3. There are no other factors associated with this project that will be materially detrimental

- With the implementation of the proposed stipulations regarding gasoline canopy maximum clearance and maximum height, as well as the City's standard lighting stipulations imposed at the time of Development Review, the development will comply with this requirement.
4. The minimum area of a lot, exclusive of street dedication, shall be 22,500 square feet.
 - The area upon which the gasoline station is proposed to be developed exceeds 22,500 square feet.
 5. A solid masonry wall or planting screen is required between all gas station sites and a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on table 4.100.A. The wall height shall be as determined in each case based on the site and surrounding property contextual relationships.
 - The landscape plan incorporates an adequate planting screen between the site and residentially zoned property.

Water/Sewer

The proposed conceptual water/sewer improvements have been reviewed and approved by the City's Water Resources Division, and technical details can be addressed at the time construction drawings are submitted.

Drainage

The proposed drainage improvements have been reviewed and approved by the City's Stormwater Division.

Community Involvement

The site has been posted with a sign notifying the public of the proposal, and surrounding property owners were also notified with postcards from the City. The open house meeting conducted by the developer on October 19, 2010 was attended by five people. With the attendance sheet, the developer submitted a petition containing 2 pages of signatures in support of the proposal.

Staff has received 10 phone calls expressing opposition to the proposal. Additionally, staff received three emails in support of the proposal, several emails expressing opposition, and a petition containing 22 pages of signatures of people opposed to the proposal.

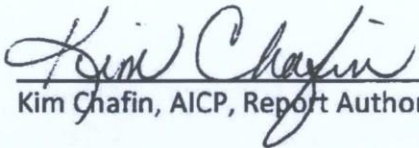
Those in opposition have expressed concerns regarding competition, drawing customers away from existing gas stations and the complementary shops/restaurant businesses, quality of design and land use compatibility.

OTHER BOARDS & COMMISSIONS

Planning Commission

Planning Commission heard this case on February 22, 2012, and found that the Conditional Use


APPROVED BY


Kim Chafin, AICP, Report Author

2-27-12
Date


Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

3/2/2012
Date


Connie Padian, Administrator
Planning, Neighborhood and Transportation
480-312-2664, cpadian@scottsdaleaz.gov

3/5/12
Date

ATTACHMENTS

1. Resolution No. 8982
Exhibit 1 Context Aerial
Exhibit 2 Stipulations
Exhibit A to Exhibit 1: Site Plan
Exhibit 3 Additional Criteria for Gas Station
2. Additional Information
3. Applicant's Narrative
4. Aerial Close-Up
5. General Plan Map
6. Zoning Map
7. Bus Shelter
8. Citizen Involvement
9. City Notification Map
10. Conceptual Elevations
11. Conceptual Landscape Plan
12. February 22, 2012 Planning Commission Minutes

RESOLUTION NO. 8982

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, ADOPTING A CONDITIONAL USE PERMIT FOR A GAS STATION ON THE SOUTHERLY 2.49 +/- ACRE PORTION OF A 5.11 +/- ACRE SITE LOCATED AT 8798 E. MCDOWELL ROAD, WITH GENERAL COMMERCIAL DISTRICT (C-4) ZONING.

WHEREAS, the Planning Commission held a public hearing on February 22, 2012; and

WHEREAS, the City Council, held a public hearing on March 20, 2012.

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds:

- a) that the granting of this conditional use permit per stipulations set forth on Exhibit 2 will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that the characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas; and
- c) that compliance with the additional conditions for a Gas Station, set forth on Exhibit 3, is required.

Section 2. That a description of the conditional use permit is set forth in Case No. 1-UP-2011. The property that is subject to the conditional use permit is shown on Exhibit 1 and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in Exhibit 2. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this 20th day of March, 2012.

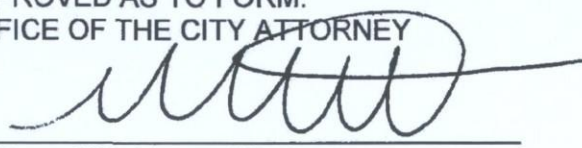
ATTEST:

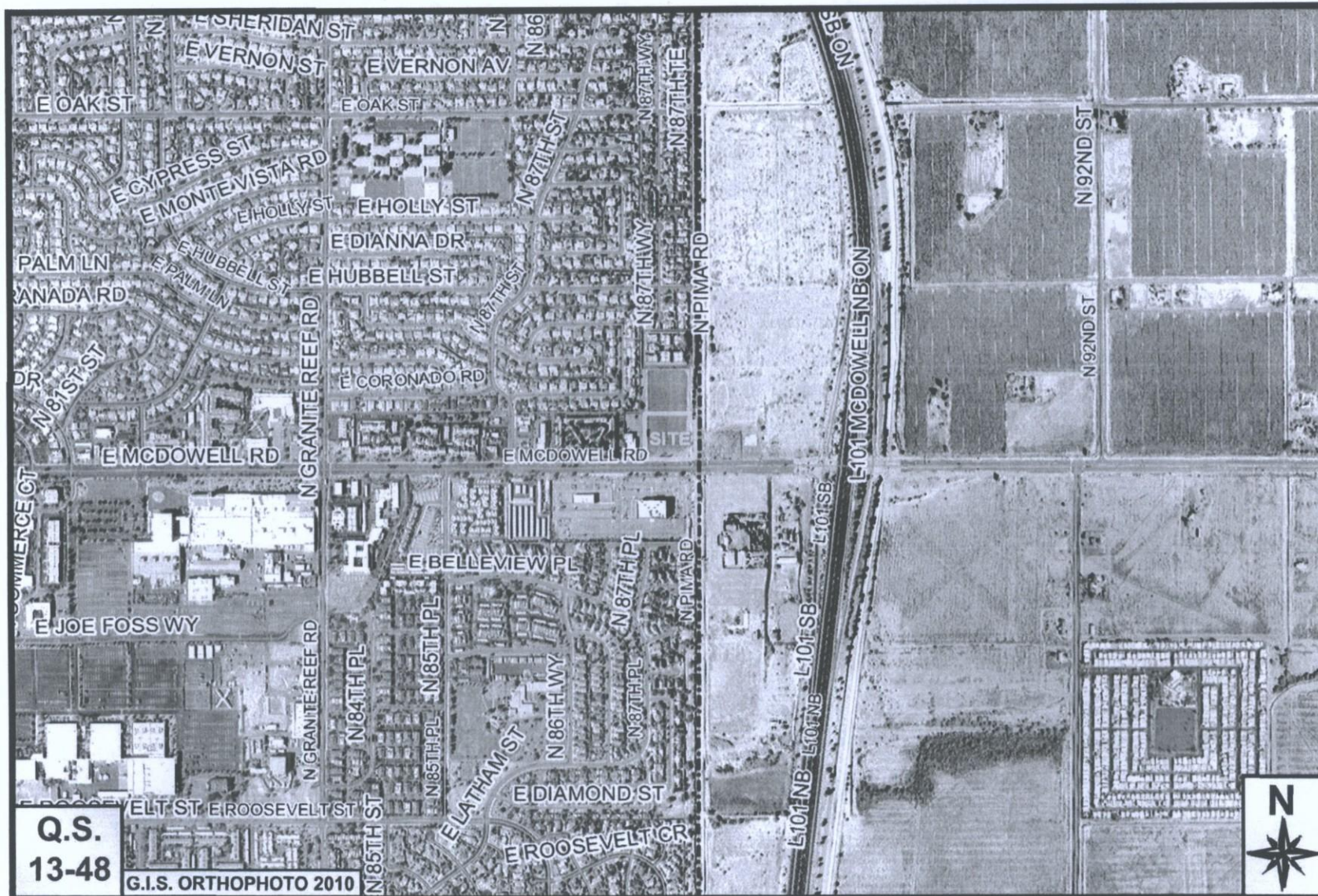
CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Sherry R. Scott, Deputy City Attorney



**Q.S.
13-48**

G.I.S. ORTHOPHOTO 2010

QuikTrip #1418

**Exhibit 1
Resolution No. 8982
Page 1 of 1**

1-UP-2011

Stipulations for the Conditional Use Permit

For a Gas Station

QuikTrip #1418

Case Number: 1-UP-2011

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale. Unless otherwise stated, the owner's completion of all requirements below is subject to the satisfaction of the Project Coordinator and the Final Plans staff.

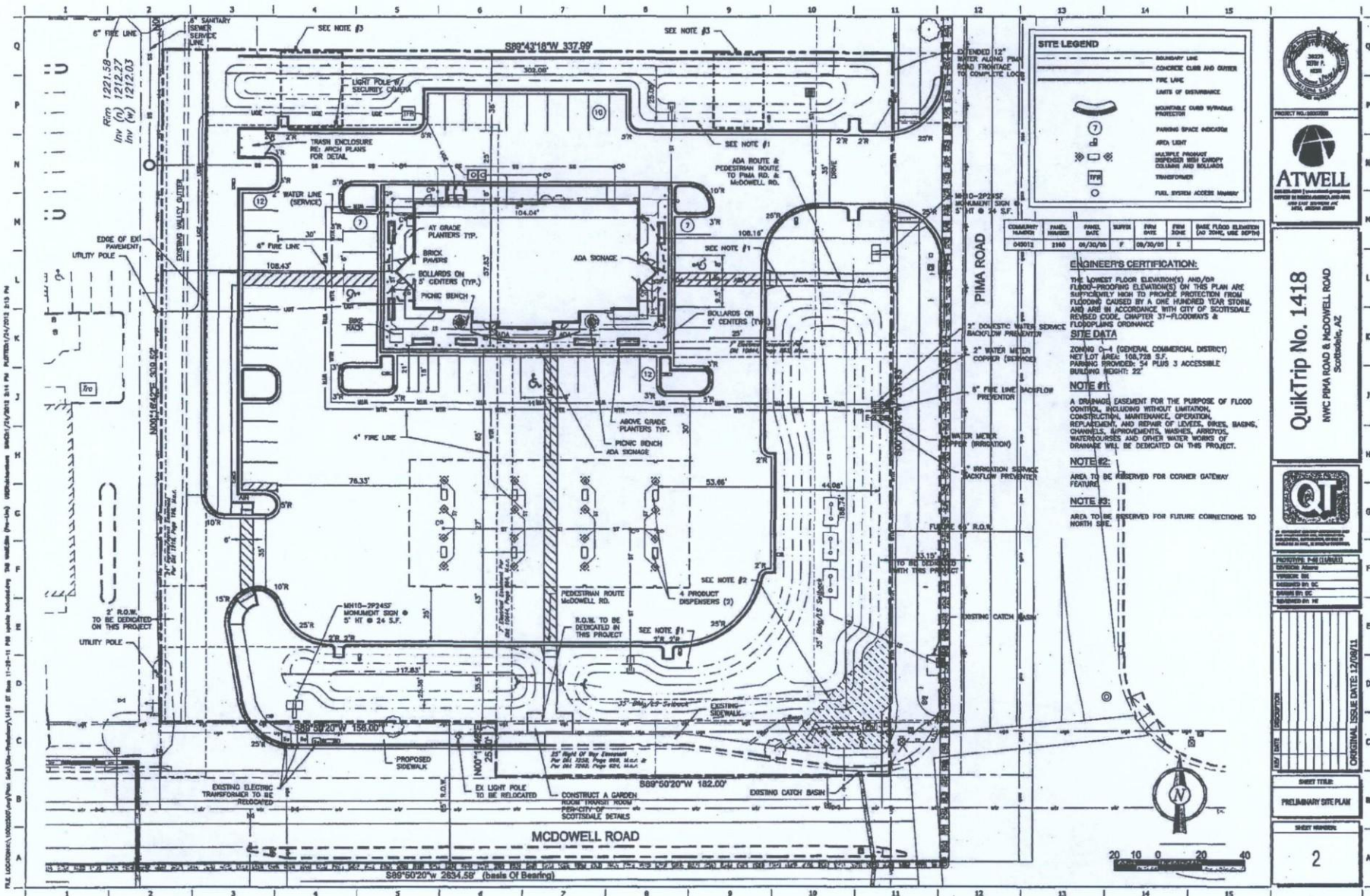
SITE DESIGN

1. CONFORMANCE TO CONCEPTUAL SITE PLAN. Development shall conform with the conceptual site plan submitted by Atwell Group, with the city staff date of 1/25/12, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council. The following shall apply:
 - a. A three-foot screen wall shall be constructed between the drive aisles and the landscaping along the McDowell Road and Pima Road frontages.
 - b. A maximum of 16 gasoline pumps will be allowed on the site.
 - c. A maximum of 48 parking stalls will be allowed on the site.
 - d. The gasoline canopy will conform to the Gas Station and Convenience Store Design Guidelines maximum clearance height of 13'-9" and a maximum canopy height of 17'-0".
 - e. A minimum of 29,928 square feet of open space shall be provided on the site, as shown on the site plan submitted by Atwell Group, with the city staff date of 1/25/12.
2. BUILDING HEIGHT LIMITATIONS. No building on the site shall exceed 36 feet in height, measured as provided in the applicable section of the Zoning Ordinance.
3. SITE LIGHTING.
 - a. No outdoor pole lighting shall exceed twenty (20) feet above natural grade at the base of the light poles.
 - b. Lighting plan shall depict lighting fixtures that are fully recessed within the canopy roof structure if roof mounted, fully shielded and directed downward. The lowest portion of the lens shall be completely recessed within the canopy roof structure two (2) inches higher than the lowest portion of the canopy ceiling.
 - c. If a flat ceiling is proposed, the fascia design shall extend a minimum of one (1) foot below the lighting fixture and lens.

- b. **VEHICLE NON-ACCESS EASEMENT.** Dedicate a one foot wide vehicular non-access easement on McDowell Road and Pima Road except at the approved site entrances.
 - c. **GATEWAY DESIGN FEATURE EASEMENT.** The developer shall provide a corner gateway design feature easement at the southeast corner of the site. The easement shall be triangular shaped with minimum 50' x 60' x 75' long leg dimensions measured along McDowell and Pima Roads after street dedications required above.
 - d. **TRANSIT FACILITIES.** Before any certificate of occupancy is issued for the site, the owner shall construct transit stop facilities (landscaping, bench and trash can, etc.) at the existing bus bay on McDowell Road. The transit shelter shall be the Garden Room type to match the existing design along McDowell Road, or an alternative type which must be reviewed and approval by City of Scottsdale Transit Manager.
5. **ACCESS RESTRICTIONS.** Access to the site shall conform to the following restrictions (distances are measured to the driveway or street centerlines):
- a. There shall be a maximum of one site driveway from Pima Road, with approximately 330 feet between the driveway and the intersection of Pima Road/McDowell Road. The driveway shall be constructed in general conformance with City of Scottsdale Supplement to the MAG Standard Details # 2256, type CL-1. Access at this location shall be restricted to right-in, right-out at the time that Pima Road is improved to four lanes and a raised median unless otherwise approved by the Transportation Director at the time that construction plans are finalized.
 - b. There shall be a maximum of one site driveway from McDowell Road via the existing alley along the west side of the site and the existing alley driveway location. The alley driveway shall be modified to be in general conformance with City of Scottsdale Supplement to the MAG Standard Details # 2257, type CH-1. The site access shall be modified to eliminate the existing angled entrance from the alley to provide a more standard perpendicular entrance, as shown on the submitted site plan (Exhibit A to Attachment 1).
6. **AUXILIARY LANES.** The owner shall construct a southbound right turn deceleration lane at Pima Road driveway. The owner shall submit a plan that identifies the design of the right turn deceleration lane for the site driveway on Pima Road in relation to the existing right turn lane at the McDowell Road intersection with the final plan submittal.

Exhibit A to Exhibit 2
Ordinance No. 8982
Page 1 of 2

1-UP-2011
6th: 1/25/2012



ADDITIONAL CRITERIA FOR GAS STATION

H. Gas Station.

1. The application shall include detailed landscape plans showing plant, type, size and spacing. All landscape plans shall include an automated watering system. Planting areas shall cover a minimum of 5 percent of the lot area and may be required to cover as much as 20 percent of the site, depending upon site size. All trees planted shall have a minimum caliper of 2 inches and all shrubs shall be at least 5-gallon size. Lack of care and maintenance of the landscaped areas is cause for revoking the Conditional Use Permit.
2. All structures approved under this Conditional Use Permit shall be of a unique design appropriate for the area in which they are to be constructed. All canopies shall be connected to the roof of the main structure unless otherwise approved. Renderings of any buildings shall accompany each application and construction shall be in reasonable conformity thereto.
3. All sources of artificial light shall be concealed and attached to the main structure, unless otherwise approved. All lighting shall be designed to minimize glare.
4. The minimum area of a lot, exclusive of street dedication, shall be 22,500 square feet.
5. A solid masonry wall or planting screen is required between all gas station sites and a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A. The wall height shall be as determined in each case based on the site and surrounding property contextual relationships.

Additional Information for:

QuikTrip #1418

Case: 1-UP-2011

Changes made by Planning Commission shown in strikethrough.

PLANNING/DEVELOPMENT

1. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - a. conformance with the Gas Station and Convenience Store Guidelines,
 - b. building materials and colors,
 - c. overall design innovation and quality,
 - d. integrally colored, separately poured concrete or different paving treatment for all internal pedestrian connections,
 - e. ~~reducing the length of parking stalls from 18 feet to 16 feet with two feet of overhang,~~
 - f. Instead of pipe bollards surrounding the building and at the base of the canopy columns, consider large pots for landscape installations or decorative metal work so that the barrier system will be less utilitarian in appearance,
 - g. Add landscaping to the west side of the site by incorporate a staggered tree row at the western edge of the property, within the landscape area. Utilize evergreen trees that have a dense canopy, such as *Acacia aneura* Mulga ,
 - h. shift the location of the bicycle parking spaces and racks so that they will be adjacent to the doors at the front of the building,
 - i. wall design,
 - j. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - k. eliminate the spot lights that are indicated above the red metal awnings at the front of the building,
 - l. scenic corridors and buffered parkways,
 - m. improvement plans for common open space, common buildings and/or walls, and amenities such as landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included), and
 - n. signage.
3. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The



QuikTrip.

4705 South 128th East Ave.
Tulsa, OK 74134-7009
P.O. Box 3470
Tulsa, OK 74101-3470
(918) 615-7700

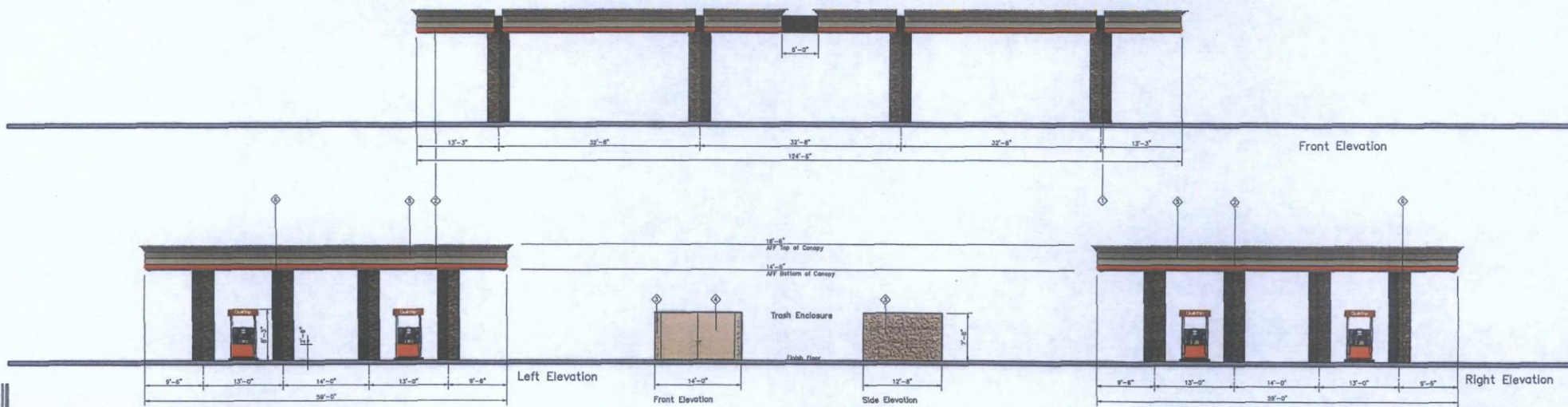
Store # 1418
Serial # 1418BEL00-04

Address: NWC of Pima & McDowell
Scale: 1/16"=1'-0"

City, State: Scottsdale, AZ

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FORBIDDEN.

FINISH	MANUFACTURER	SPECIFICATION
BRICK	UNION BRICK	UNION BRICK
STONE	UNION STONE	UNION STONE
PAINT	UNION PAINT	UNION PAINT
GLASS	UNION GLASS	UNION GLASS
ROOFING	UNION ROOFING	UNION ROOFING
LANDSCAPE	UNION LANDSCAPE	UNION LANDSCAPE
MECHANICAL	UNION MECHANICAL	UNION MECHANICAL
ELECTRICAL	UNION ELECTRICAL	UNION ELECTRICAL
PLUMBING	UNION PLUMBING	UNION PLUMBING
IRONWORK	UNION IRONWORK	UNION IRONWORK
CONCRETE	UNION CONCRETE	UNION CONCRETE
ASPHALT	UNION ASPHALT	UNION ASPHALT
PAVING	UNION PAVING	UNION PAVING
LANDSCAPE	UNION LANDSCAPE	UNION LANDSCAPE
MECHANICAL	UNION MECHANICAL	UNION MECHANICAL
ELECTRICAL	UNION ELECTRICAL	UNION ELECTRICAL
PLUMBING	UNION PLUMBING	UNION PLUMBING
IRONWORK	UNION IRONWORK	UNION IRONWORK
CONCRETE	UNION CONCRETE	UNION CONCRETE
ASPHALT	UNION ASPHALT	UNION ASPHALT
PAVING	UNION PAVING	UNION PAVING



QuikTrip.

4705 South 128th East Ave.
Tulsa, OK 74134-7008
P.O. Box 3475
Tulsa, OK 74101-3475
(918) 815-7700

Store # 1418

Serial # 1418GEL00-04

Address: NWC of Pima & McDowell

Scale: 1/16" = 1'-0"

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ITEM	FINISH	MANUFACTURER	SPECIFICATION
1	ROOFER BLOCK	TWO	PART
2	JOINT PO. GRANULATE	JOEL INDUSTRIES	NON ELIMINATED BAND
3	ROOFER BLOCK	TWO	JOINT PO. GRANULATE
4	JOINT PO. GRANULATE	JOEL INDUSTRIES	NON ELIMINATED BAND
5	JOINT PO. GRANULATE	JOEL INDUSTRIES	NON ELIMINATED BAND
6	JOINT PO. GRANULATE	JOEL INDUSTRIES	NON ELIMINATED BAND
7	JOINT PO. GRANULATE	JOEL INDUSTRIES	NON ELIMINATED BAND
8	JOINT PO. GRANULATE	JOEL INDUSTRIES	NON ELIMINATED BAND

1-1
5th

50-DR-2011#2
12/17/2019

Landscape Concept Plant Materials

All tree sizes to meet or exceed Arizona Nurseryman Association (AN) Specifications (I.D.M.). Unless otherwise noted.

TREES	Size	Quantity
SISSOO <i>Diospyros sissou</i>	2" Caliper Std. Trunk	20
MESQUITE <i>Prosopis chilensis</i>	2" Caliper Std. Trunk	17
SWEET ACACIA <i>Acacia Small</i>	2" Caliper Std. Trunk	21

SHRUBS	Size	Quantity
CHRISMAN SAGE <i>Leucophyllum laevigatum</i>	5 Gallon	137
DWARF OLEANDER <i>Nerium Oleander "Petite Pink"</i>	5 Gallon	20
BAJA RUELLIA <i>Ruellia peruviana</i>	5 Gallon	64
RED YUCCA <i>Hesperaloe parviflora</i>	5 Gallon	43

GROUND COVER	Size	Quantity
DESERT MARIGOLD <i>Bacopa multifida</i>	5 Gallon	26
PURPLE TRAILING LANTANA <i>Lantana montevidensis</i>	5 Gallon	167
DECOMPOSED GRANITE - "Gold" 3/4" PLUS SCREENED - 2" DEEP		33,140 S.F.

[illegible]

50-DR-2011#2
12/17/2019