



City of Avondale

City Council Meeting

Monday, April 29, 2024

Mayor and Council

Kenneth Weise, Mayor

Mike Pineda, Vice Mayor

Tina Conde, Council Member | Curtis Nielson, Council Member

Veronica Malone, Council Member | Gloria Solorio, Council Member

Max White, Council Member

Administration

Ron Corbin, City Manager

Cherlene Penilla, Assistant City Manager | Tracy Stevens, Assistant City Manager

Dale Nannenga, Deputy City Manager | Nicholle Harris, City Attorney

Marcella Sarmiento, City Clerk

City Council Chamber

11465 West Civic Center Drive

Avondale, AZ 85323

Watch a City Council Meeting Online

Visit the link below to watch a City Council meeting live online:

<https://www.avondaleaz.new.swagit.com/views/540/>

Please note, the live stream will not be monitored by staff; therefore, anyone wishing to address the City Council shall appear in person to speak.



City Council Meeting Notice & Agenda Monday, April 29, 2024

CITY COUNCIL CHAMBER | 11465 WEST CIVIC CENTER DRIVE | AVONDALE AZ, 85323

Request to Speak: Anyone wishing to address the Council regarding items listed on the agenda should submit a Request to Speak online at <http://www.avondaleaz.gov/requesttospeak> prior to consideration of that agenda item.

SPECIAL MEETING

5:30 PM

Physical Access to the Council Chambers will be available 30 minutes prior to the meeting.

CALL TO ORDER BY MAYOR PLEDGE OF ALLEGIANCE & MOMENT OF REFLECTION

1. ROLL CALL BY THE CITY CLERK

2. PUBLIC HEARING - EXTRA SPACE STORAGE – APPEAL OF CONDITIONAL USE PERMIT – APPLICATION PL-23-0303

City Council will hold a public hearing and consider an appeal by Adam Baugh of Withey Morris Baugh (on behalf of Extra Space Storage) to consider an appeal of the Planning Commission's denial of a conditional use permit to allow for a mini-storage warehouse and personal storage development. The 2.28 net-acre subject property is located at the southwest corner of Indian School Road and Osborn Road. This project was previously approved as a conditional use permit by the City Council on June 21, 2021, zoning case PL-21-0003. The previous conditional use permit has expired, and the appellant filed an application for a new conditional use permit to move forward with the development. The Planning Commission denied the application. The City Council may affirm, reverse, or modify the decision of the Planning Commission.

Pursuant to Ariz. Rev. Stat. 38-431.03(A)(3), City Council may move and vote to go into executive session for discussion with the City's Attorneys for legal advice on the appeal of the denial of Extra Space Storage Conditional Use Permit Application PL-23-0303.

3. ADJOURNMENT

Council Members of the City of Avondale will attend either in person or by telephone or video conference call. Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the Council Meeting.

Los miembros del Concejo de la Ciudad de Avondale participaran ya sea en persona o por medio de llamada telefonica o por video. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oido, o con necesidad de impresion grande o interprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos dias habiles antes de la junta del Concejo.

ITEM NUMBER: 2.

SUBJECT: Public Hearing - Extra Space Storage – Appeal of Conditional Use Permit – Application PL-23-0303

MEETING DATE: 4/29/2024

TO: Mayor and Council

FROM: Jodie Novak, Director of Development Services

THROUGH: Tracy Stevens, Assistant City Manager, (623) 333-1014

REVIEWED: Ron Corbin, City Manager, (623) 333-1011

STRATEGIC PLAN:

Strategic Outcome Area: Creative and Sustainable Community Development

Strategy: Maintain and expand quality infrastructure and improve connectivity to city amenities.

PURPOSE:

City Council will hold a public hearing and consider an appeal by Adam Baugh of Withey Morris Baugh (on behalf of Extra Space Storage) to consider an appeal of the Planning Commission's denial of a conditional use permit to allow for a mini-storage warehouse and personal storage development. The 2.28 net-acre subject property is located at the southwest corner of Indian School Road and Osborn Road. This project was previously approved as a conditional use permit by the City Council on June 21, 2021, zoning case PL-21-0003. The previous conditional use permit has expired, and the appellant filed an application for a new conditional use permit to move forward with the development. The Planning Commission denied the application. The City Council may affirm, reverse, or modify the decision of the Planning Commission.

BACKGROUND:

The 2.3 net-acre subject property (Exhibit A) is located at the southwest corner of Indian School Road and Osborn Road. The site is located within the North Avondale Specific Plan area. It is mostly rectangular, relatively flat, undeveloped, and features no unusual physical characteristics.

The property was annexed in June 1981 and rezoned to Planned Area Development (PAD), part of the Palm Valley Avondale PAD (Exhibit B), on September 6, 1994. The property is zoned Palm Valley Planned Area Development (PAD), which includes C-2 (Community Commercial) uses and development standards. Mini-storage warehouses and personal storage facilities require approval of a conditional use permit in the C-2 district and, by extension, the Palm Valley PAD as it applies to the subject site.

The property is designated by the General Plan 2030 Land Use Map as Local Commercial (Exhibit C). This land use category is primarily intended to provide for the daily needs of goods and services to the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. The Palm Valley PAD's C-2 zoning of this property is consistent with the Local Commercial designation.

SUMMARY OF REQUEST:

A conditional use permit for a mini-storage use was approved by the City Council on June 21, 2021, with conditions. One of the conditions required compliance with the Zoning Ordinance in that the conditional use permit would expire on June 21, 2023, if the use had not commenced. Because the use had not commenced through the issuance of a building permit, a new conditional use permit request and approval was required. For this reason, a new conditional use permit application for the same mini-storage use and development design was submitted.

On February 21, 2024, the Planning Commission conducted a public hearing for the conditional use permit. Staff provided a presentation with a recommendation for approval. After hearing from the applicant and public comment, the Commission had questions regarding the proposed location as it related to other storage facilities in the area and access to the site. The Commission's motion to approve the request failed to pass by a 2-2 tie vote, which technically resulted in a denial. A copy of the Planning Commission staff report, including public comments received, is provided in Exhibit E. Please refer to the Planning Commission meeting minutes attached as Exhibit F.

On March 6, 2024, an appeal of the Planning Commission's action was filed by Adam Baugh on behalf of Paul Hedges/Extra Space Storage. Please refer to Exhibit D – Appeal Request. The appellant is requesting a reversal of the Planning Commission's denial of a conditional use permit to allow for a mini-storage warehouse and personal storage development in the Palm Valley Planned Area Development (PAD).

PUBLIC PARTICIPATION:

All required notifications for the City Council public hearing were completed in accordance with notification requirements.

DISCUSSION:

An appeal of a Planning Commission decision is a quasi-judicial hearing as opposed to a legislative hearing. For this reason, Council may only consider the record presented to the Planning Commission. New issues or information may not be considered in Council's action. The Council must evaluate the Commission's action based on the following required findings:

1. That the proposed use (a) is consistent with the land-use designation set forth in the general plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the general plan, and (c) will be consistent with the desired character for the surrounding area.
2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood, or the public welfare in general.
3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.
4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.
5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

The City Council may affirm, reverse, or modify the decision of the Planning Commission. Should the City Council be inclined to affirm the denial by the Planning Commission, passage of a motion to uphold the decision will be needed.

Should the City Council be inclined to reverse or modify the decision of the Planning Commission, the Council

shall direct the City Attorney to prepare written findings setting forth the basis for the reversal or modification. Passage of a motion to reverse or modify the decision should include the staff-recommended conditions of approval shown below.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

The City Council will conduct a public hearing per Section 28-8(i), Appeal of decision of the Planning Commission to City Council.

Should the Council be inclined to reverse the denial and approve Application PL-23-0303, a request for a Conditional Use Permit to allow for the operation of a mini-storage warehouse and personal storage development at the southwest corner of Indian School Road and Osborn Road, the Council shall direct the City Attorney to prepare written findings setting forth the basis for the reversal, and the approval shall be subject to the following five (5) conditions of approval:

CONDITIONS OF APPROVAL:

1. Development and use of the site shall substantially conform to the Extra Space Storage Conditional Use Permit narrative, site plan, and landscape plan date stamped December 12, 2023, attached to the Planning Commission staff report as Exhibits D, E, and G respectively.
2. In accordance with Avondale Municipal Code Article 1, 28-8, the Conditional Use Permit shall expire two (2) years from the date of approval if the use has not commenced.
3. The facility manager shall ensure that no unit is used as a point of sale for any goods, materials, or services.
4. The storage of hazardous or flammable materials within the facility shall be prohibited.
5. The Site Plan and Design Review shall be amended to ensure consistency with this conditional use permit proposal.

Contact person for document distribution: Sandra Freund, AICP, Senior Planner

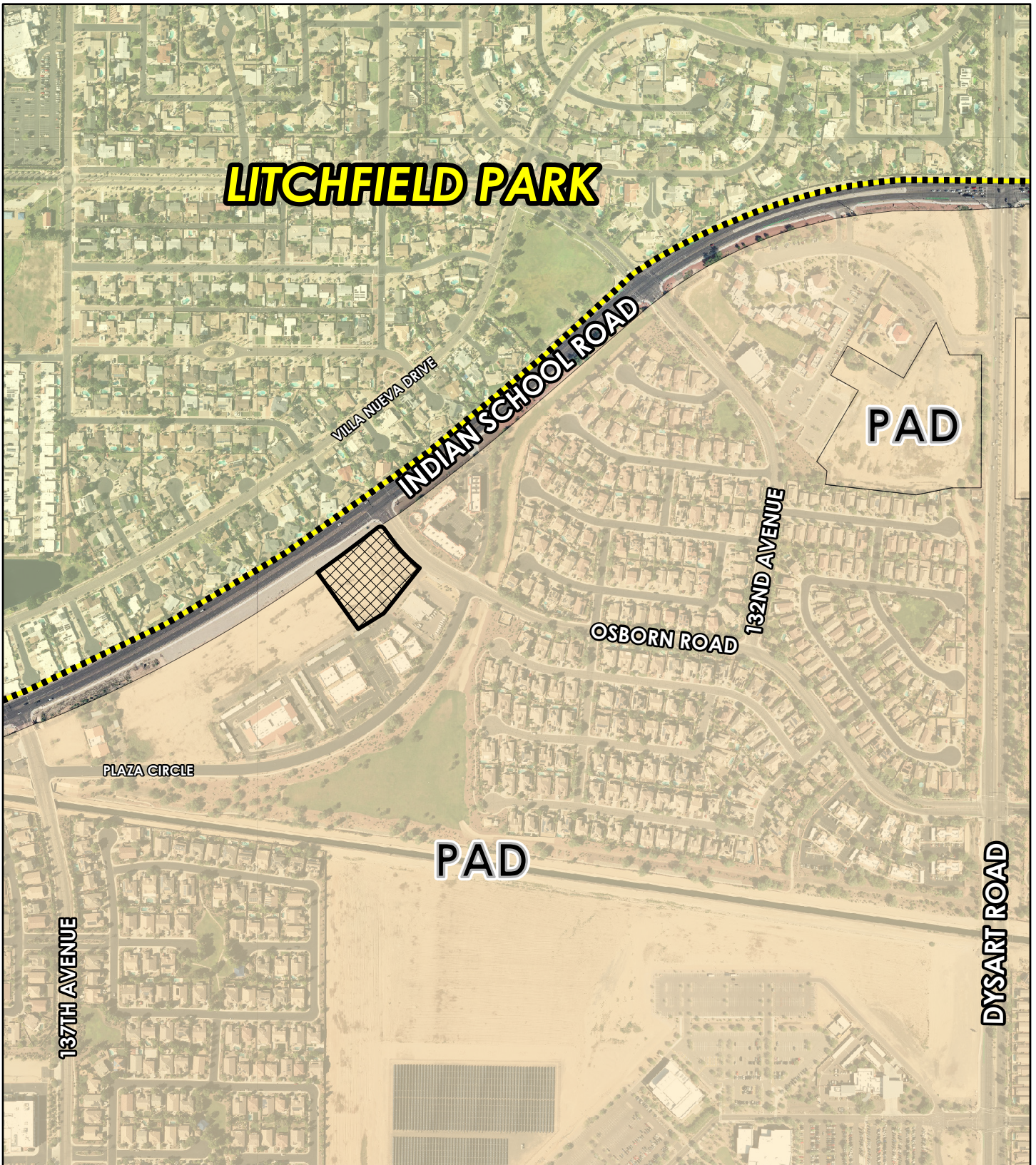


Aerial Map



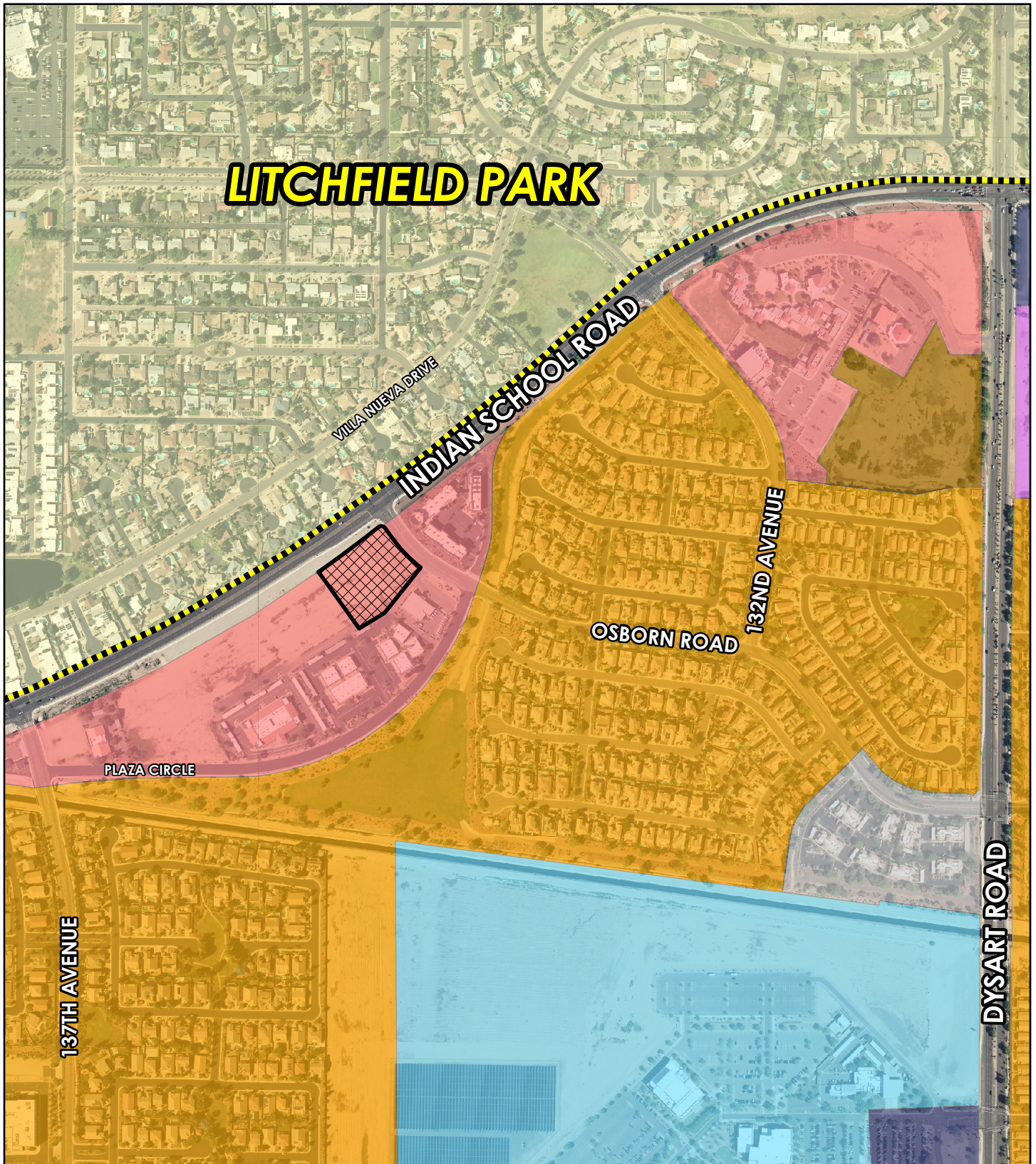
 Subject Parcel





Zoning Vicinity

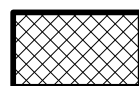




General Plan Land Use



- | | |
|----------------------------|---------------------|
| Education | Mixed Use |
| High Density Residential | Office/Professional |
| Local Commercial | Public/Civic |
| Medium Density Residential | Litchfield Park |



Subject Parcel





WITHEY
MORRIS
BAUGH

March 6, 2024

VIA HAND DELIVERY

Avondale City Council
Development & Engineering Services Dept
11465 W. Civic Center Dr, #110
Avondale, Arizona 85323

Re: Conditional Use Permit Appeal / PL-21-0003

Dear Mayor and Council:

We submit this appeal on behalf of Paul Hedges / Extra Space Storage ("Applicant") regarding its proposed self-storage facility on a C-2 PAD zoned parcel at the southwest corner of Indian School Road and Osborn Road in the City of Avondale (the "Property").

The matter before the council is not a question about a change in the General Plan, or the commercial zoning. Those items were approved 29 years ago and are applicable today. The only question before the council is the re-approval of a Conditional Use Permit (CUP) that was approved by this City Council in 2021.

REQUEST

In 2021, the City Council approved a Conditional Use Permit (CUP) for a storage facility at this Property. At the time, city staff, the Planning Commission, and the City Council evaluated the zoning ordinance criteria for approving a CUP. All three review bodies determined this site meets the legal criteria and approved the CUP use. The basis of that 2021 CUP approval, and the facts that supported it, remain the same today.

The current application before you today is an extension of the CUP approval. The purpose is to re-approve the CUP that the City Council already approved in 2021...in the same manner, size, scope, design and operation as before. All things remain exactly the same and the legal criteria supporting the prior approval are identical and unchanged.

Accordingly, this letter sets forth the justification for the re-approval of the CUP.

BACKGROUND

When the CUP was approved in 2021, a code requirement existed to commence the use in two years. That time condition makes sense for existing buildings where no additional permitting processes are required. However, it is virtually impossible for new, ground up buildings to be completed in two years

because of all the additional city processes which must occur after the CUP is approved...and then build the building...and then commence the use...all before two years. An example of the extra processes this site required are below:

1. Site Plan: After the CUP was approved, the applicant filed a Site Plan Application and worked with staff for eleven (11) months before obtaining site plan approval in September 2022.
2. Plat: Alongside the site plan application, the application had to undergo the Final Plat application which took 7 months before it was approved in March 2022.
3. Fire Review: Fire access and PUE had to be approved which took 13 months (Oct 2022).
4. Civil Plans & Building Plans: Only after the site plan and plat approval, was the applicant's design team able to start working on civil plans and construction drawings. Those were submitted to the city and pending their final review when this issue came up. There were three submittals, and three plan reviews by city staff between August 2022 to Spring 2023. During this time the two-year time condition expired.

The expiration was not attributed to the applicant or the city. It was a reflection of the time needed to complete all the post CUP processes that are required for a new building. Additionally, there were some unexpected delays experienced by many projects during the COVID-era where manpower, materials, and suppliers were all backlogged. Around this time, the City of Avondale review periods were also behind their typical review times for many of the same COVID-related and staffing factors.

The Applicant expended significant funds and continually worked through all the required site plan, platting, and permit processes. But despite all their effort to act on the CUP approval, they were told to reapply for the CUP anew.

Accordingly, the applicant filed the exact same CUP in October 2023. Staff's review and favorable recommendation were the same as before.

However, on the date of the Planning Commission, not all members were present at the hearing, and the Commission voted in a 2-2 tie without much discussion or deliberation. What is noted from the hearing is that the Commission did not evaluate and discuss the 5-part test of the CUP. This necessitates the appeal to the City Council today.

CUP LEGAL CRITERIA

The question before the city council is not whether the land should be rezoned or whether the use is allowed. The only question to consider are the five (5) findings of the CUP test as outlined in the Avondale Zoning Ordinance. If those five (5) findings are met, the CUP shall be approved. The legal standard for this appeal is outlined in the Zoning Ordinance (Chapter 28, Article 1, 28-8).

- (1) That the proposed use (a) is consistent with the land-use designation set forth in the general plan, (b) will further the city's general guidelines and objectives for development of the area, as set forth in the general plan and (c) will be consistent with the desired character for the surrounding area.**

Response: This finding is satisfied. The site is located within the Local Commercial designation on the General Plan which promotes commercial services – like a storage facility – for residents within the surrounding area. A proposed self-storage facility is allowed within the Local Commercial designation. It is a service for residents within a 2-mile radius of the site. It is perfectly consistent with the type of

neighborhood-serving commercial uses desired in the Local Commercial designation of the General Plan. See **Exhibit A**, General Plan Map.

The site is also within the North Avondale Specific Plan whose Objective #1 is to "Facilitate the full buildout of North Avondale.". This site is on the north border of Avondale and has remained undeveloped for 29 years since being zoned commercial. Approving this request brings commercial uses and creates new energy for the full buildout of the rest of the shopping center, achieving the goal of the Specific Plan.

The building design is also consistent with the character of the area in its use of stucco, masonry, and earth tone colors. Its building height (25' with a 30' parapet) is also consistent with the height of the commercial Coldwater Station buildings next door (24' with a 36' parapet). See **Exhibit B**, Building Elevations.

(2) That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.

Response: This finding is met. This use is perfectly compatible with the surrounding commercial shopping center and will not have any detrimental impact on persons residing and working in the area.

This use is located along a major arterial street and part of an existing shopping center where this type of use is allowed and expected to locate. It is separated from Avondale residents by several office buildings and a post office to the south, and 36'-tall commercial buildings to the east. It is separated from Litchfield Park residents by a major arterial street. See **Exhibit C**, Aerial Photograph of the Property and Vicinity.

These types of facilities are considered among the least impactful commercial uses with respect to traffic, noise, crime or other factors that may be detrimental to nearby residents and businesses.

Self-storage facilities create very little traffic, and significantly less than any other commercial use that is otherwise allowed on this C-2 zoned Property.

Self-storage facilities are also significantly less quiet than other commercial uses, especially because there are no outdoor functions or roll up doors. All storage activities occur inside a fully enclosed building and loading occurs inside as well.

Because the site is securely monitored, trips are low and customer activity is minimal, there is no measurable impact on the neighborhood.

(3) That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.

Response: This finding is met. The site is a sufficient size to accommodate all necessary circulation and access has been approved by the City Traffic Engineer. The development has been designed to meet and exceed all applicable city development standards including setbacks, screening, and landscaping.

(4) That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

Response: This finding is satisfied. The Property has direct access to arterial streets (Indian School Road and Osborn Road) which are presently designed to accommodate far greater volumes of traffic than would be generated by this facility. There is no direct access from residential streets. Per the ITE Manual, a storage facility of this size could generate 160 daily trips which is substantially less than the 5,370 trips that would otherwise be created if this were developed with shopping center uses under the current zoning. The AM & PM peak trips (10 & 16) are also substantially less than a typical commercial center peak trips. See Trip Gen Comparison Table below.

SELF STORAGE DEVELOPMENT									
					AM		PM		Daily
Parcel Planned Use	Land Use	Description	Units	Total	In	Out	In	Out	Total
Warehouse	151	Self Storage	SF	110,620	6	4	8	8	160
Total									160

COMMERCIAL & FAST FOOD DEVELOPMENT									
					AM		PM		Daily
Parcel Planned Use	Land Use	Description	Units	Total	In	Out	In	Out	Total
Fast Food (1)	933	Drive Thru	SF	3,000	25%	75%	64%	36%	2148
Fast Food (2)	933	Drive Thru	SF	3,000	25%	75%	64%	36%	2148
Commercial	942	Shopping Center	SF	25,000	25%	75%	64%	36%	1074
Total									5370

(5) That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

Response: This finding is met. City staff have added five (5) conditions of approval that effectively mitigate any potential impacts.

In short, the applicant has satisfied all the five (5) criteria necessary to grant the CUP, in the same manner as when the City Council determined these findings existed in 2021. Accordingly, the CUP should be re-approved as filed.

NEIGHBOR RESPONSE

The applicant met with residents who expressed concerns related to the project. Below are responses to some of those items:

1. "Excessive Traffic" – Concerns were raised that this type of facility would create significant traffic. Per the ITE manual, this facility typically generates only 160 trips (80 cars) a day which is significantly less than the intensity expected with the current C-2 zoning (5,370 trips). Additionally, Indian School Road is an arterial streets and recent Maricopa County Association of Governments (MAG) website shows more than 17,473 trips per day are already occurring on Indian School Road at this location. The total daily trips of this facility would be less than .009% of the overall trips Indian School Road presently carries. See **Exhibit E**, MAG trip data.
2. "Trash & Dumping" – A concern was raised that this facility would create trash and dumping. The project is designed with onsite trash bins as would be expected with any commercial development that would otherwise exist here. The volume of trash is no greater than a normal shopping center. Arguably, a vacant property is more susceptible to dumping than a professionally managed business with video monitoring and on-site employees.
3. "Noise Impact" – As it relates to noise, a storage facility is one of the quieter commercial uses due to the limited activity occurring on site and indoors. For example, a typical commercial shopping center has deliveries throughout the day, semi-trucks and air brakes, more frequent trash collection, employee break areas outside, more cars and traffic circulating behind the building, more collection of items outside, and generally more outdoor activity.
4. "Brings Vagrants" – The site is fully monitored and secured so no vagrancy is allowed to loiter on site. Additionally, there is no evidence that vagrancy exists with indoor, climate-controlled storage facilities. An on-site office with employees is another deterrent to vagrancy.
5. Building Height – The proposed building heights (25' tall) are actually less than what is permitted by-right by the zoning code today (30' tall). They are also slightly less than the heights of the adjacent commercial buildings next door which have parapets up to 36' tall. Additionally, there are other commercial buildings between this project and the residents to the south. Several of the residential homes to the south have 2-story buildings like us.
6. "Major loss in Property Values" – A statement was made, but no evidence was provided, that this facility would directly cause a loss in residential property values. There is no evidence to support the belief that an indoor, climate-controlled facility, within a commercial zoned area, has a direct value impact on residential homes further away. This site is located on land already zoned commercial which allow far more intensive uses. There are also commercial/office buildings around it and between the residents and this site. Without any direct adjacency, there is no evidence to support this inaccurate statement.
7. Toxic Waste – A misbelief has been shared that toxic and hazardous materials would be stored onsite. To be clear, hazardous materials are not permitted on the property and is a violation of the lease and the zoning ordinance. To our knowledge, the city has not had any issue with

hazardous waste at other indoor storage facilities. Additionally, there has been no pattern or evidence provided which shows hazardous waste being stored at Extra Space storage facilities.

CONCLUSION

The question before the city council is not whether the land should be rezoned or whether a storage building is allowed. The only question is whether the five (5) findings of the CUP have been met.

In this case, this application meets all five (5) legal standards for re-approval of the CUP. The facts and circumstances of the CUP today are identical to the legal facts supporting the prior approval in 2021 and remain unchanged, and we respectfully request its re-approval.

We look forward to discussing the case with you at the city council hearing.

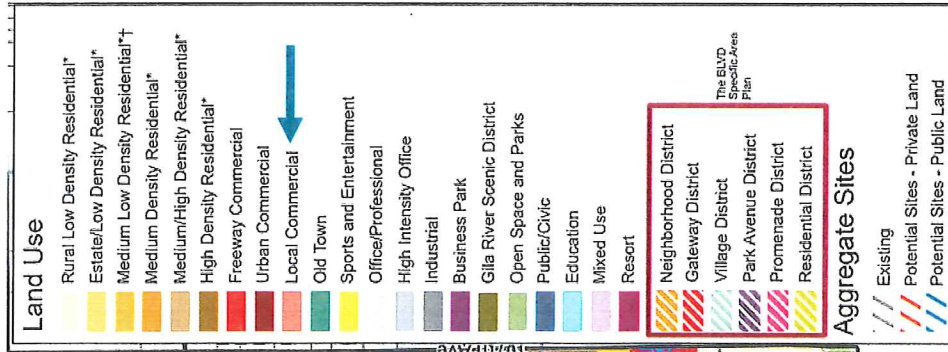
Very truly yours,

WITHEY MORRIS BAUGH P.L.C.

By 
Adam Baugh

Enclosures

EXHIBIT A - GENERAL PLAN LAND USE MAP



Existing:
Local Commercial

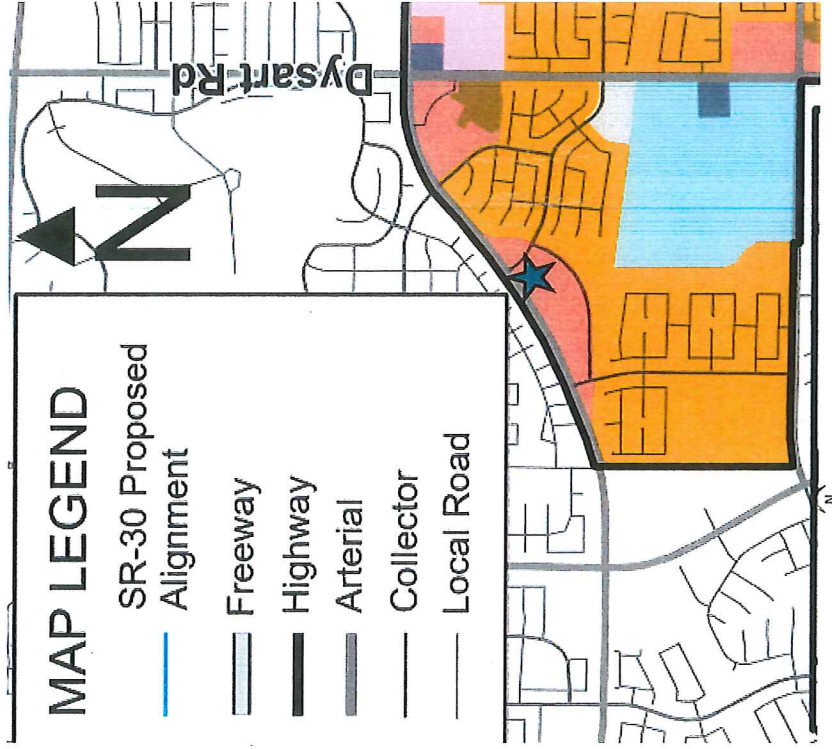
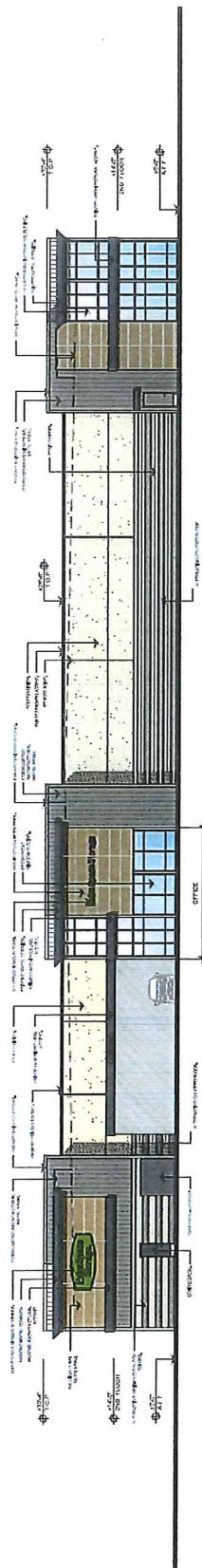
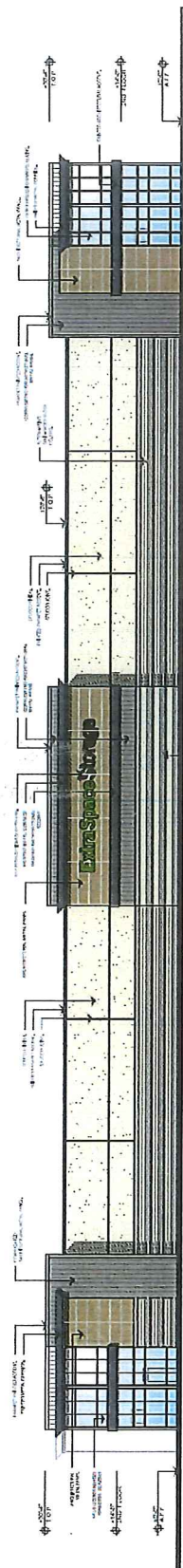


EXHIBIT B- BUILDING ELEVATIONS



EAST ELEVATION 1
1/2"=1'-0"



NORTH ELEVATION ②

MATERIAL/COLOR LEGEND		KEYPLAN	
	ACOUSTIC PANEL SOUND-REDUCE (100% ABSORPTION) DO NOT PAINT (SEE KEYPLAN)		MEDIUM PANEL DO NOT PAINT (SEE KEYPLAN)
	ACOUSTIC WALL PANELS SOUND-REDUCE (100% ABSORPTION) DO NOT PAINT (SEE KEYPLAN)		MEDIUM PANEL DO NOT PAINT (SEE KEYPLAN)
	ACOUSTIC CEILING SOUND-REDUCE (100% ABSORPTION) DO NOT PAINT (SEE KEYPLAN)		MEDIUM PANEL DO NOT PAINT (SEE KEYPLAN)
	ACOUSTIC CEILING SOUND-REDUCE (100% ABSORPTION) DO NOT PAINT (SEE KEYPLAN)		MEDIUM PANEL DO NOT PAINT (SEE KEYPLAN)
	ACOUSTIC CEILING SOUND-REDUCE (100% ABSORPTION) DO NOT PAINT (SEE KEYPLAN)		MEDIUM PANEL DO NOT PAINT (SEE KEYPLAN)

EXHIBIT C – AERIAL MAP



EXHIBIT D – SITE PLAN

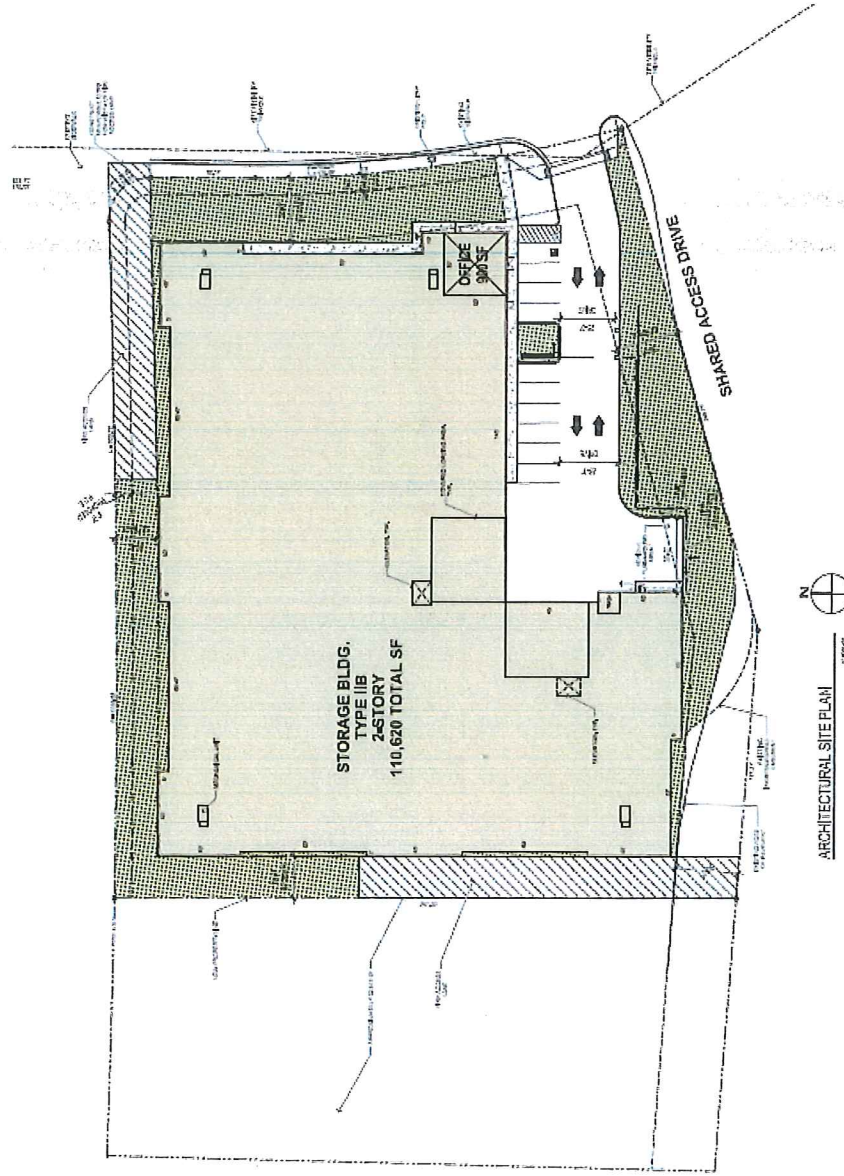
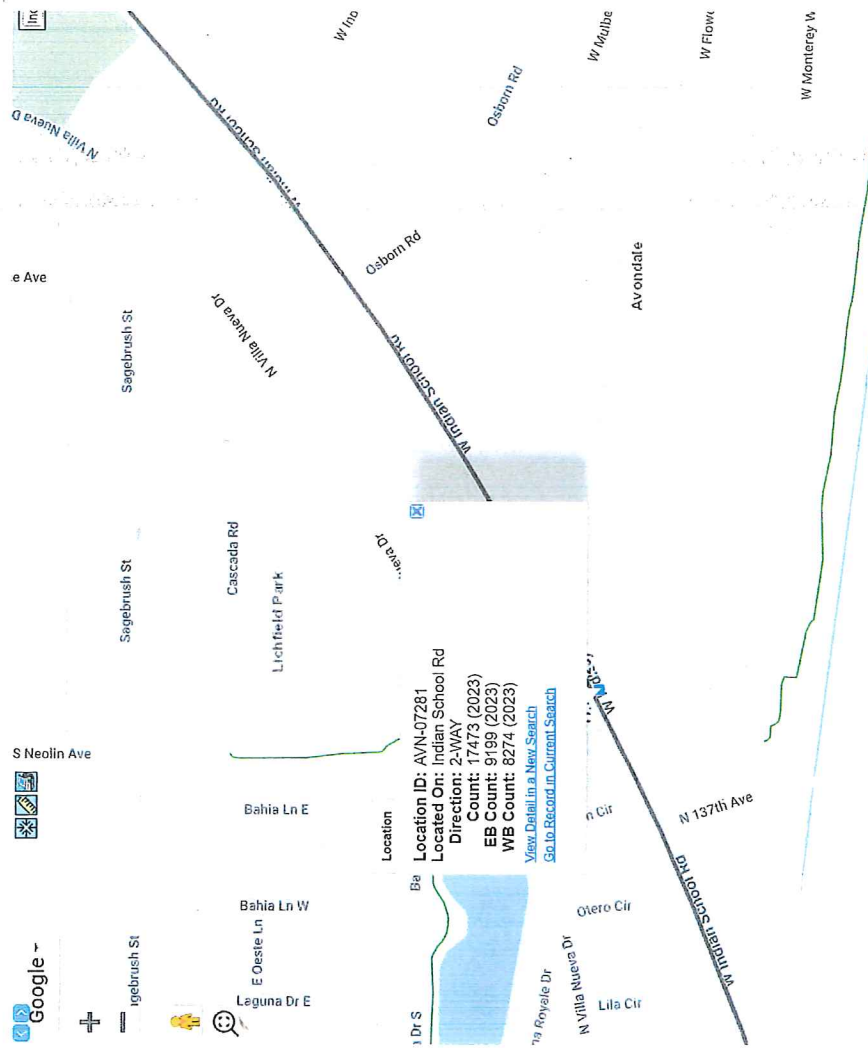


EXHIBIT E – MAG DATA

Existing Traffic:

- 17,473 daily trips
- 160 daily storage trips
 - Less than .009% of total trips





AGENDA ITEM REPORT

ITEM NUMBER: 4.a.

SUBJECT: Extra Space Storage – Conditional Use Permit – Application PL-23-0303

MEETING DATE: 2/21/2024

TO: Planning Commission

FROM: Sandra Freund, AICP, Senior Planner

THROUGH: Jodie Novak, Director of Development Services

PURPOSE:

Planning Commission will hold a public hearing and consider a request by Paul Hedges (on behalf of Extra Space Storage) for approval of a Conditional Use Permit (CUP) to allow for a mini-storage warehouse and personal storage development. The 2.28 net-acre subject property is located at the southwest corner of Indian School Road and Osborn Road. This project was previously approved as a Conditional Use Permit by the City Council on June 21, 2021, zoning case PL-21-0003. The CUP has expired, and the applicant is requesting a new approval of the CUP for the same project to move forward with the development. The Planning Commission will take appropriate action.

BACKGROUND:

The 2.3 net-acre subject property (Exhibits A, B, & C) is located at the southwest corner of Indian School Road and Osborn Road. The site is located within the North Avondale Specific Plan area. It is mostly rectangular in shape, relatively flat, undeveloped, and features no unusual physical characteristics.

The property was annexed in June 1981 and rezoned to Planned Area Development (PAD), part of the Palm Valley Avondale PAD (Exhibit B), on September 6, 1994. The property is zoned Palm Valley Planned Area Development (PAD), which includes C-2 (Community Commercial) uses and development standards. Mini-storage warehouses and personal storage facilities require approval of a Conditional Use Permit in the C-2 district and, by extension, the Palm Valley PAD as it applies to the subject site.

The property is designated by the General Plan 2030 Land Use Map as Local Commercial (Exhibit C). This land use category is primarily intended to provide for daily needs of goods and services to the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include: grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. The Palm Valley PAD's C-2 zoning of this property is consistent with the Local Commercial designation.

The existing uses and zoning of surrounding properties include:

NORTH OF INDIAN SCHOOL ROAD: Litchfield Park Subdivision No. 15-A, a developed single-family residential subdivision located with Litchfield Park, zoned Medium Density Residential (R1-8).

EAST OF OSBORN ROAD: Coldwater Station, a commercial condominium complex containing retail, restaurant, office, and service uses on approximately three (3) acres. The Coldwater Station site is zoned Palm Valley Planned Area Development (PAD) with allowances for C-1 (Neighborhood Commercial) uses.

SOUTH: Multiple land uses are occurring south of the subject property. From east to west, these include:

- o The Litchfield Park branch of the United States Postal Service (USPS). The 1.20-acre USPS parcel is zoned Palm Valley PAD with C-2 (Community Commercial) uses, though federal facilities (such as post offices) are exempt from local zoning regulations.

- o Litchfield Park Plaza, a 7-building garden-style office complex on approximately 4.0 acres. The office complex property is zoned Palm Valley PAD with allowances for C-2 (Community Commercial) uses.

WEST: Over seven (7) acres of vacant/undeveloped land zoned Palm Valley PAD with C-2 (Community Commercial) uses. The undeveloped land consists of multiple parcels owned by the same entity (Little Guy Investments LLC).

SUMMARY OF REQUEST:

The applicant is requesting approval of a Conditional Use Permit to allow for a mini-storage warehouse and personal storage development in the Palm Valley PAD (Exhibit D). A Conditional Use Permit was approved by City Council for this same use and development design on June 21, 2021, with conditions. One of the conditions requires compliance with the Zoning Ordinance in that the Conditional Use Permit expires on June 21, 2023, if the use has not commenced. The use has not commenced; therefore, a new Conditional Use Permit request and approval is required.

The proposed mini-storage facility will be fully enclosed and involve the construction of a two-story 110,620 square feet building with 900 square feet of attached office (Exhibit E). A new driveway allowing full access to the site is proposed at the southeast corner of the property, along Osborn Road. The parking area will consist of ten (10) parking spaces for both employee and customer parking and two (2) separate covered loading areas to facilitate the movement of goods to and from the facility. Because the City does not have a parking standard for mini-storage uses, the applicant has provided a parking demand study showing, during peak hours, a maximum of seven (7) vehicles will be parked on the site at any one time.

All storage units will be accessed solely from within the climate-controlled facility with no exterior access to any unit provided. The proposed architecture is contemporary, with a combination of stucco and metal panel exterior materials in desert earth tone colors, with accent trim for contrast. The building design uses both horizontal and vertical massing elements as well as material variation to break up the wall planes, rooflines, and overall massing (Exhibit F).

Low emittance lighting will be used for security purposes and will comply with the City's photometric requirements.

The proposed office hours of operation will be: 9:30 A.M. to 6:00 P.M. (Monday through Friday) and 9:30 A.M. to 5:30 P.M. on Saturday, with the office closed on Sunday. The proposed storage access hours of operation will be from 6:00 A.M. to 10:00 P.M. Monday through Sunday.

Following approval of the Conditional Use Permit, administrative approval of a Site Plan and Design Review Amendment application will be required to ensure consistency with the Conditional Use Permit submittal and the approved Site Plan and Design Review submittal.

PUBLIC PARTICIPATION:

A neighborhood meeting to discuss the proposal with neighboring property owners and other interested parties was held on December 19, 2023, on Zoom. All notices of the meeting were in accordance with Zoning Ordinance notification requirements. In addition to City staff and the applicant's team, three (3) members of the public and one (1) Councilmember attended the virtual meeting. The discussion was primarily related to trash, landscape and water demands, traffic, safety at a neighboring bus stop, access, and the use itself. The applicant held a second neighborhood meeting in-person on January 31, 2024, at Avondale's City Hall to provide another opportunity to describe the project and answer questions from the public. In addition to City staff and the applicant's team, five (5) members of the public attended the meeting. Discussion was primarily related to the following topics: trash, rodents, traffic, safety at a nearby school bus stop, access, the use itself, and the design of the building. One neighbor suggested an office park would be a better use for the property. Please refer to Exhibit H.

To date, two (2) comments related to the proposal have been posted on the City's Avondale Connect digital forum, one of which was not in support of the use and another that was in support of the project. Two (2) public comments were received that expressed concerns about traffic and building height, and listed alternative

preferred uses for the site (Exhibit I). Community members also shared comments on the City's social media posting about the neighborhood meeting conveying concerns and/or not in support of the proposed use.

All required notifications for the Planning Commission public hearing were completed in accordance with notification requirements.

ANALYSIS:

To grant a Conditional Use Permit, five (5) findings must be met as outlined in Chapter 28, Article 1, 28-8 of the Zoning Ordinance. Each finding is presented below along with Staff's analysis.

1. That the proposed use (a) is consistent with the land use designation set forth in the general plan, (b) will further the City's general guidelines and objectives for development of the area, as set forth in the general plan and (c) will be consistent with the desired character for the surrounding area.

The subject site is within the North Avondale Specific Plan area and is designated as Local Commercial by the General Plan. This land use category is intended to provide for the daily needs of goods and services for the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include: grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. The proposed mini-storage use, a service use that meets resident needs in the surrounding area, is consistent with the type of neighborhood-serving commercial uses desired in the Local Commercial designation.

Furthermore, Objective #1 of the North Avondale Specific Plan is to, "Facilitate the full buildout of North Avondale". The subject property has remained undeveloped for over 29 years since being zoned for commercial use as part of the Palm Valley PAD. Approval of this request, paving the way towards the development of the site, will further this objective of the North Avondale Specific Plan.

The building's architectural design includes stucco, masonry, and earth tone color schemes complementary to the surrounding built environment.

This finding has been met.

2. That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.

The adjacent uses include commercial uses to the east and south, with a shopping plaza containing various personal services and restaurants to the east, the Litchfield Park branch of the United States Postal Service and an office plaza with a combination of personal services and medical and professional office uses to the south. Vacant land zoned for commercial use lies to the west, with single-family residential homes to the north of Indian School Road.

Mini-storage facilities, especially fully-enclosed storage facilities, are considered among the least impactful commercial uses with respect to traffic, noise, crime, and other factors that may be detrimental to nearby residents and businesses. The planned hours of operation (public access between 6:00 AM and 10:00 PM) will help ensure all loading and unloading activity occurs at a reasonable hour, further minimizing potential noise impacts on existing homes or businesses in the vicinity.

This finding has been met.

3. That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.

The proposed new development will meet or exceed all applicable City of Avondale development standards including setbacks, landscape area, parking, and screening. Additionally, access to the site and on-site circulation has been reviewed by the City Traffic Engineer and found to be of sound design.

This finding has been met.

4. That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.

The subject property will have full access to and from Osborn Road, a Minor Collector, at the east end of the site. As presently built, Osborn Road is designed to accommodate the traffic anticipated from the proposed mini-storage facility, a very low traffic generating use relative to other commercial uses.

This finding has been met.

5. That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.

Five (5) conditions of approval are recommended, two (2) of which are standard for development of this type (see "Conditions of Approval" section, below).

Condition #1 is a standard stipulation ensuring the proposed use develops in accordance with the site plan and project narrative provided to the City and attached as exhibits to this staff report.

Condition #2 is a standard stipulation noting that, per the Zoning Ordinance, the Conditional Use Permit will expire within two (2) years if the use has not commenced on the property.

Condition #3 is a stipulation that there will be no sale or rental of any goods or materials from the rented units.

Condition #4 is a stipulation that this facility will prohibit the storage of hazardous or flammable materials within the facility.

Condition #5 is a stipulation that the Site Plan and Design Review be amended to ensure consistency with this CUP proposal.

This finding has been met.

DISCUSSION:

Staff recommends approval of the request for the following reasons:

1. The proposed land use meets the five (5) required findings for a CUP in Avondale Municipal Code Chapter 28, Article 1, 28-8.
2. Approval of the proposal will result in a development compatible with Local Commercial General Plan designation, the Palm Valley PAD, and existing development in the area.
3. The proposed land use will not be detrimental to persons residing or working in the area, on adjacent properties, or to the public welfare in general.

BUDGET IMPACT:

No budget impacts.

RECOMMENDATION:

The Planning Commission will conduct a public hearing and **APPROVE** Application PL-23-0303, a request for a Conditional Use Permit to allow for the operation of Extra Space Storage, a mini-storage warehouse and personal storage development at the southwest corner of Indian School Road and Osborn Road, subject to the following five (5) conditions of approval:

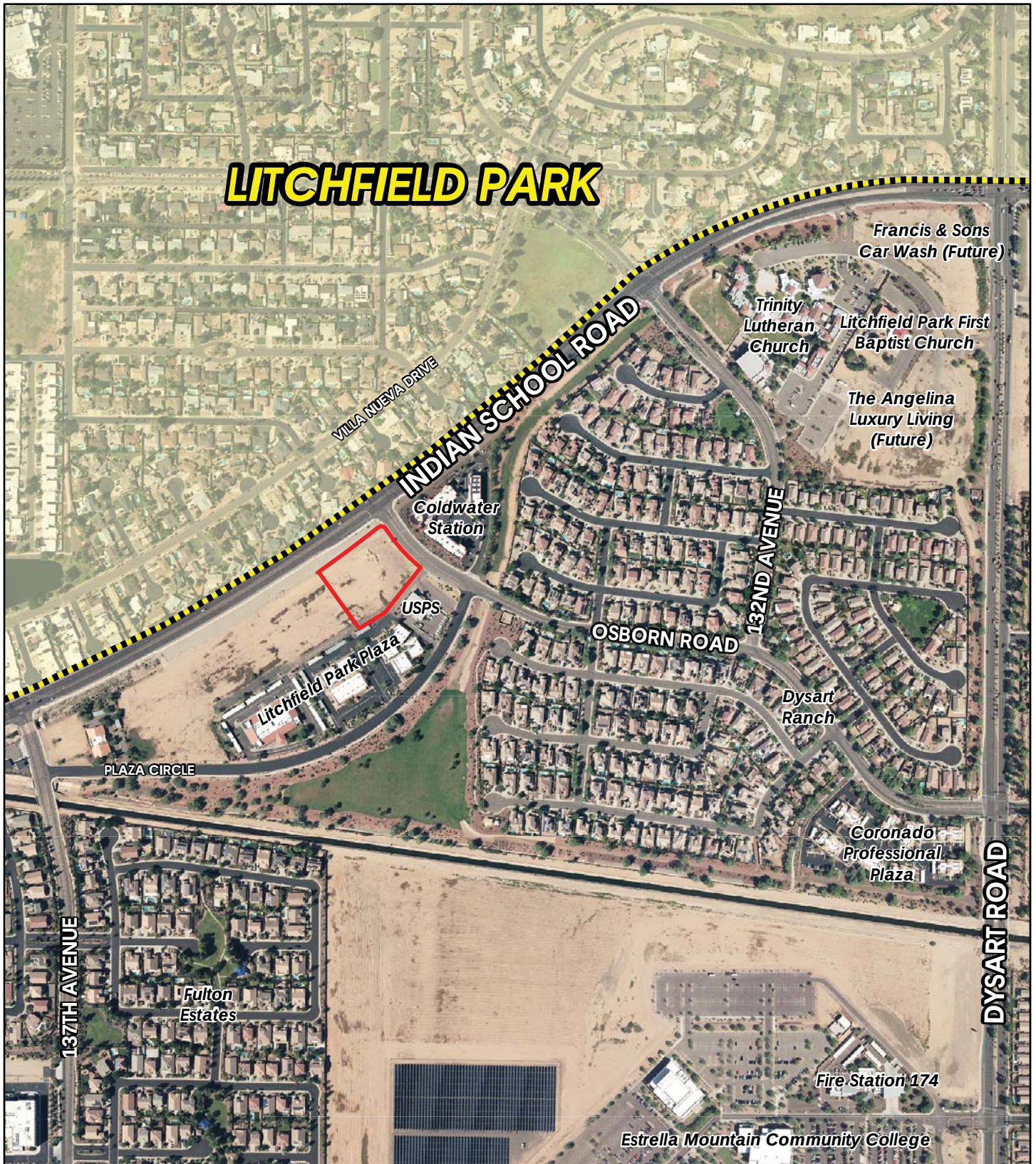
CONDITIONS OF APPROVAL:

1. Development and use of the site shall substantially conform to the Extra Space Storage Conditional Use Permit (CUP) narrative, site plan, and landscape plan date stamped December 12, 2023, attached to the staff report as Exhibits D, E, and G respectively.
2. In accordance with Avondale Municipal Code Article 1, 28-8, the Conditional Use Permit shall expire two (2) years from the date of approval if the use has not commenced.
3. The facility manager shall ensure that no unit is used as a point of sale for any goods, materials, or services.

4. The storage of hazardous or flammable materials within the facility shall be prohibited.
5. The Site Plan and Design Review shall be amended to ensure consistency with this CUP proposal.

PROPOSED MOTION:

I move that Planning Commission accept the findings and **APPROVE** Application PL-23-0303, a request for a Conditional Use Permit to allow for a mini-storage warehouse and personal storage development at the southwest corner of Indian School Road and Osborn Road, subject to the five (5) conditions of approval as listed in the staff report.

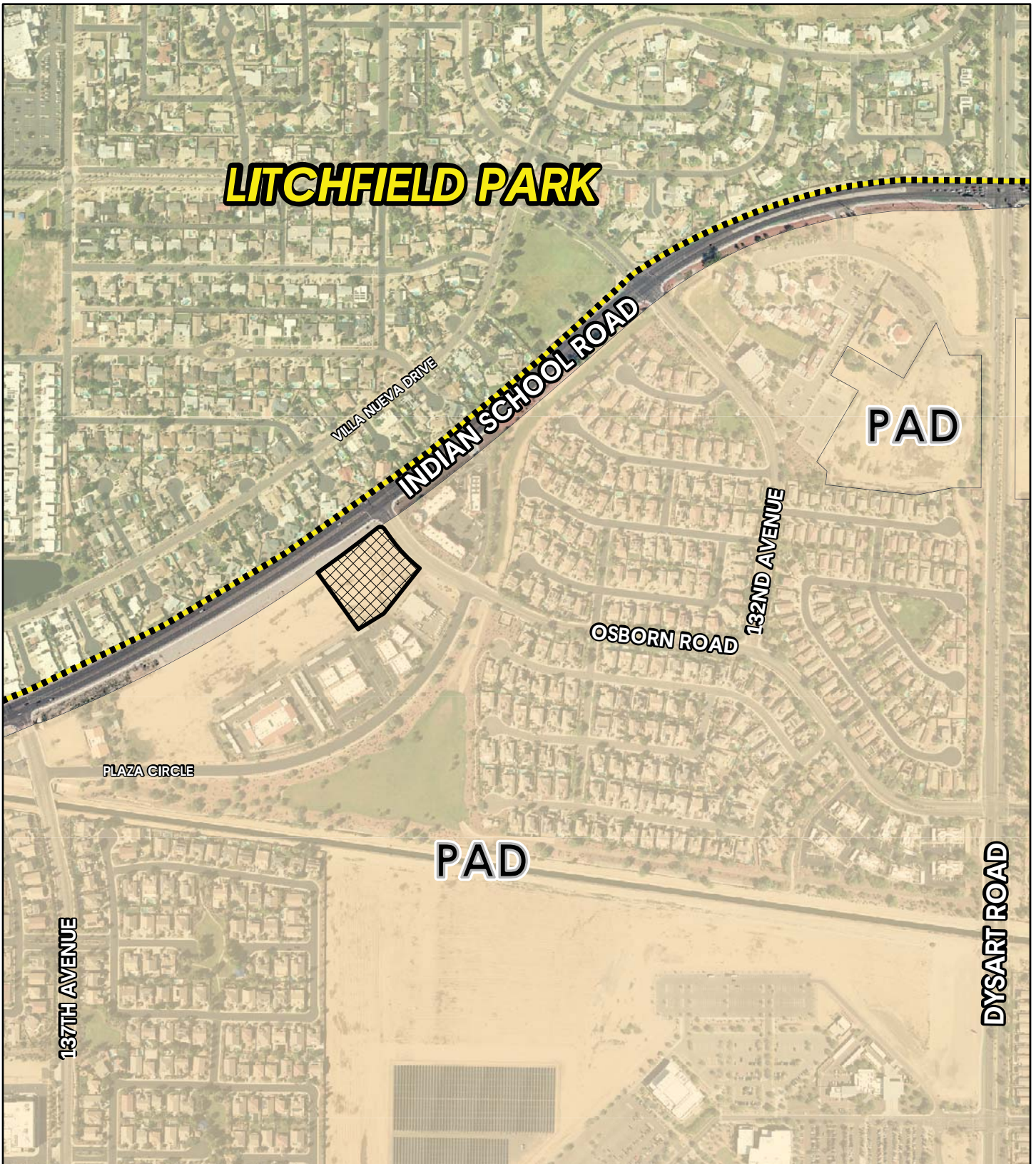


Aerial Map



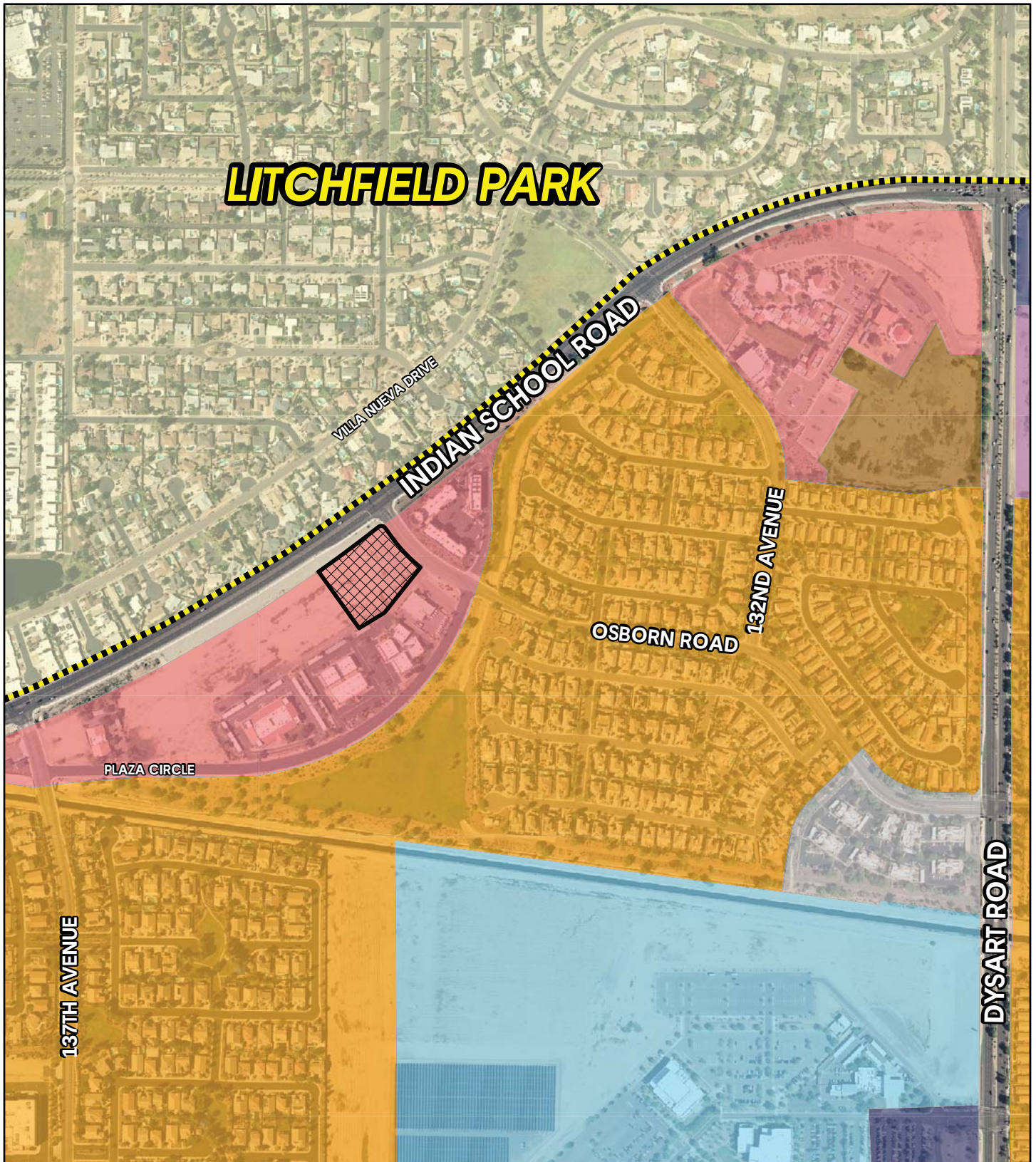
 Subject Parcel





Zoning Vicinity

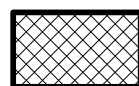




General Plan Land Use



- | | |
|----------------------------|---------------------|
| Education | Mixed Use |
| High Density Residential | Office/Professional |
| Local Commercial | Public/Civic |
| Medium Density Residential | Litchfield Park |



Subject Parcel





November 27, 2023

City of Avondale
ATTN: Ms. Michelle Simerdla
Development Services Department
11465 W. Civic Center Drive
Avondale, AZ. 85323

Subject: CUP Narrative for PL-23-0303_REVISION_1

Dear Ms. Simerdla,

The proposed project is located at the Southwest corner of Indian School Road and Osborn Road in the City of Avondale. This request is for an approval of a Conditional Use application to allow a mini storage warehouse, currently named Extra Space Storage (subject to change), in the PAD zoning. The project is consistent with the General Plan of the area which is "Local Commercial". The project will serve as a buffer from the shopping center to the South and the single family residences to the North.

The hours of operation are assumed to be as follows:

Office

Monday through Friday	9:30am-6:00pm
Saturday	9:30am-5:30pm
Sunday	Closed

Storage Access Hours

Monday through Sunday 6:00am-10:00pm

The site is a proposed 2.28 acres with adequate area to ensure all development standards for the PAD zoning are being met including landscaping, setbacks and building coverage. Two points of access are being proposed with the main entry/exit being located off of Osborn Road. A secondary Emergency Vehicle Access point is proposed off of the shared access to the South. Both of these points of entry are located away from the Indian School Road intersection by over 200 feet.

Traffic

The inherent low traffic generation of self storage will bode well for the area and present a much needed service to the surrounding area without the impacts on traffic or draw on emergency services. The volume of traffic (see Parking Demand Study included with this submittal) for the site is minimal and consists mostly of passenger vehicles and small, client-leased residential

moving vans (i.e. Uhaul). The omittance of noise, smoke, odor, dust, vibration and illumination is limited due to the circulation being blocked from the neighboring residential and Indian School Road.

The onsite circulation allows for the volume of traffic to be accommodated as well as access for emergency services vehicles with knox devices for gate operations. Security gates located at the entrances will require clientele to input their personal code to enter and exit the facility. These gates leave plenty of stacking room to ensure that there is no traffic back up onto Osborn. Currently, office hours are planned to be 8am to 6pm with access hours being the same.

Design

The building has been designed to screen all loading operations from the rights-of-way and surrounding residences. This includes the screening of security lighting needed in the areas of circulation as the building will mass will restrict spill over to the to the residences to the North. Low emittance lighting will be used for security purposes and accent lighting will be utilized at the office during off hours and will not spill over onto adjacent properties.

The faux units facing Indian School Road will have low wattage accent lighting that will be placed on a timer and set to turn off around 9 or 10pm.

The design team has utilized both horizontal and vertical building articulation as well as varying materials to add to the character of the structure. The use of high-end architectural materials will ensure the project is not only delivered looking good, but that it remains so throughout the life of the facility. The materials selected can withstand the elements while being environmentally conscious.

Low Impact Development

The site is proposing drought tolerant landscaping that will drastically reduce the need for irrigation that results in urban runoff.

Findings Subject pursuant to Article 12, 28-8, b and 28-55, d:

Section 28-8, b

- (1) That the proposed use (a) is consistent with the land-use designation set forth in the general plan, (b) will further the city's general guidelines and objectives for development of the area, as set forth in the general plan and (c) will be consistent with the desired character for the surrounding area.*

The project is consistent with the General Plan of the area which is "Local Commercial". Local Commercial is a land use category that is used primarily for providing daily needs of goods and services to the residents residing within the surrounding area. The types of uses allowed in this category specifically for local residents may include: grocery stores, gas stations, neighborhood/retail services, and office and medical uses serving consumers residing in adjacent residential areas, which promotes a walkable community. The proposed use is consistent with the land use designation set forth in the General Plan and will further the objectives for development with a needed service in

the area of an underserved market. The architecture will ensure that the character of the surrounding area is met.

- (2) That the use will be (a) compatible with other adjacent and nearby land uses and (b) will not be detrimental to persons residing or working in the area, adjacent property, the neighborhood or the public welfare in general.*

The use will be compatible with adjacent land uses and will not be detrimental to persons either living or working in the surrounding area. Due to its low traffic and quiet nature, it will serve as a buffer to the neighboring residential to the North and the traffic of the commercial center to the South.

- (3) That the site is adequate in size and shape to accommodate the proposed use, allow safe on-site circulation, and meet all required development standards including, but not limited to, setbacks, parking, screening, and landscaping.*

The proposed new development will meet or exceed all applicable City of Avondale development standards including setbacks, landscape area, parking, and screening. Additionally, access to the site and on-site circulation has been reviewed by the City Traffic Engineer and found to be of sound design. Special attention has been paid to onsite circulation to in order to preserve the flow of traffic on surrounding infrastructure as well as onsite.

- (4) That the site has appropriate access to public streets with adequate capacity to carry the type and quantity of traffic generated by the proposed use.*

The site has appropriate primary access from Osborn and allows the low-traffic for the use to access the site safely. The onsite gates provide adequate stacking and staging so as not to impact the ROW.

- (5) That adequate conditions have been incorporated into the approval to ensure that any potential adverse effects will be mitigated.*

All conditions have been accounted for in the design of this facility. Our firm has designed thousands of facilities nationwide and are aware of the pitfalls to avoid and the required items to ensure a safe, successful development.

Section 28-55, d

- 1) Doors of the storage areas shall not front or face onto any public street or residential use.*

No storage doors have been proposed on the exterior of the building. All units will be internally loaded.

- (2) Only indoor storage shall be permitted and there shall be no sale or rental of goods, materials or other tangible or intangible property from the facility or any part thereof and there shall be no activities conducted on the premises whether related to the stored items or otherwise. The sale of insurance by the operator on goods stored therein or the*

sale therein or the sale by the operator of items used in connection with the storage of goods at the site shall not be prohibited.

There will be no sale or rental of any goods or materials from the rented units. The office will have a small retail section for the purchase of locks and packing supplies. The operator will also offer insurance to its tenants.

(3) No hazardous or flammable materials, as defined in the Avondale Building Code, shall be stored in such facility.

This facility will prohibit the storage of hazardous or flammable materials.

(4) Any structure may be exempt from side and rear yard setbacks, provided, that in all cases where the conditional use abuts any residential district on its side or rear lot lines, there shall be a side yard of not less than twenty-five (25) feet and a rear yard of not less than twenty five (25) feet.

The project will comply with setback standards.

(5) A wall with a minimum height of six (6) feet and a landscaping area a minimum of twenty (20) feet wide, all as approved by the zoning administrator, shall be constructed on the side and/or rear property lines.

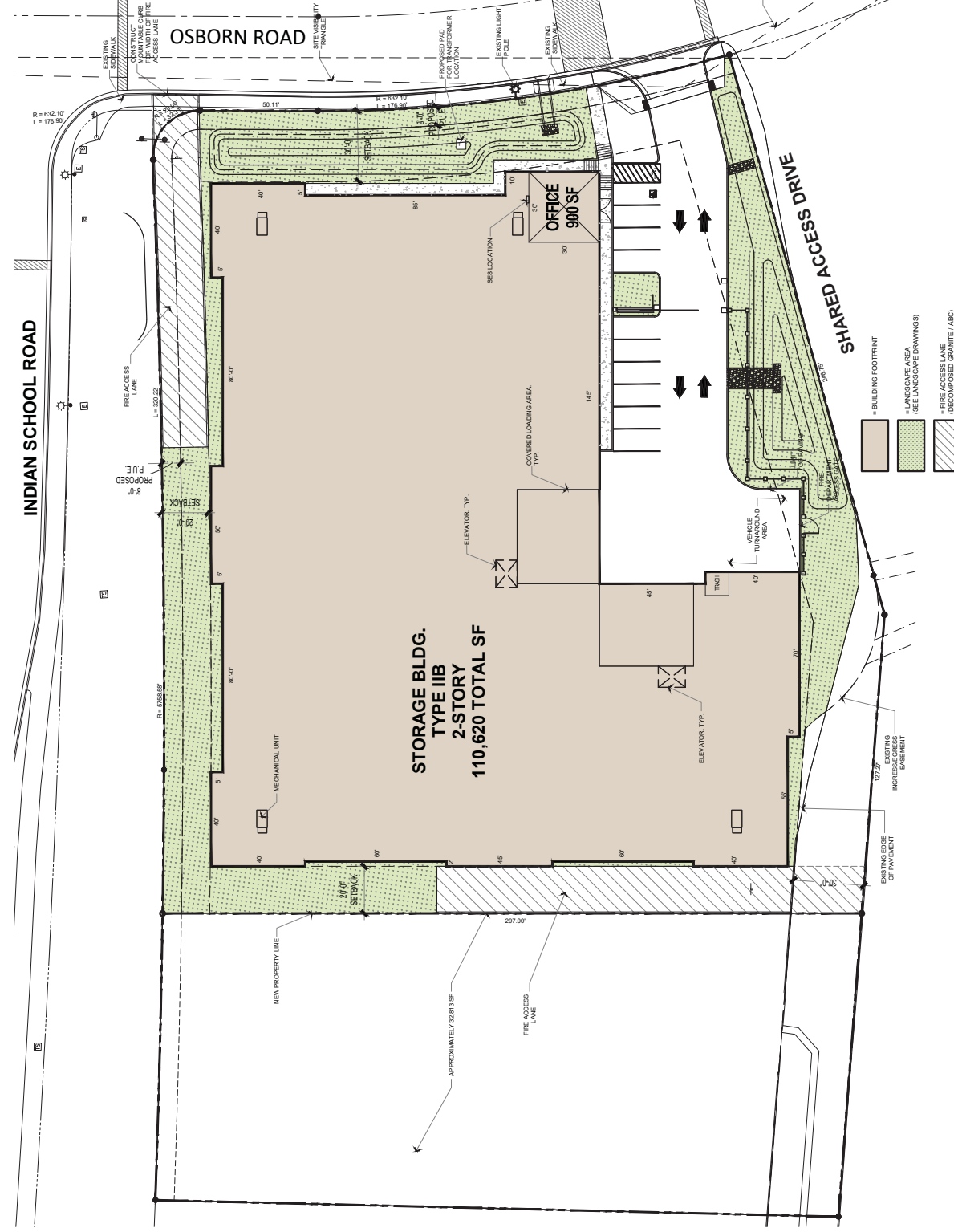
The building currently wraps the North and West property lines. The Eastern property line does not propose a site wall at this time. The Southern property line will propose a 6' wall in compliance with this section.

If you should have any additional questions or comments, please do not hesitate to ask. Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Meinecke', with a long, sweeping horizontal line extending to the right.

David Meinecke
Vice President



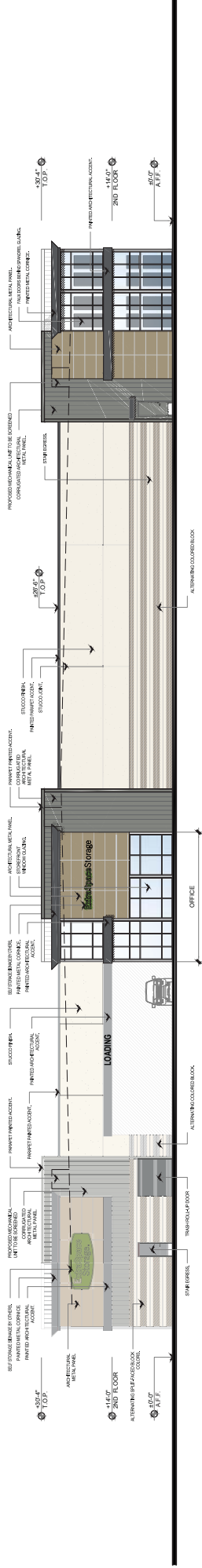
BUILDING CONSTRUCTION TYPE: IIB
OCCUPANCY CLASSIFICATION: S-1. TOP STORAGE IS NOT GREATER THAN 8
BUILDINGS ARE EQUIPPED WITH AUTOMATIC FIRE SPRINKLER SYSTEM IN

SHEET A1

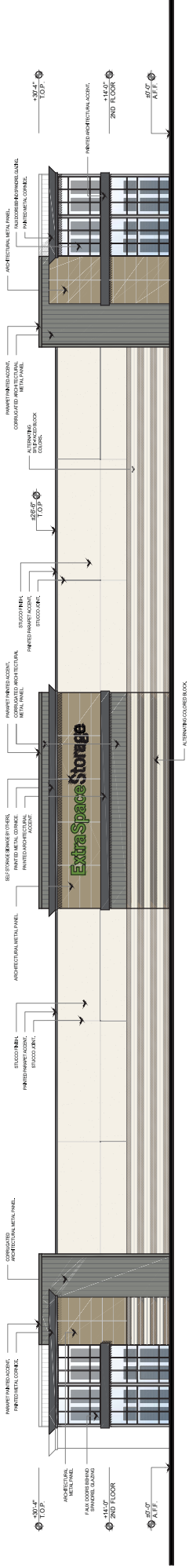
EXTRA SPACE STORAGE

AVONDALE, AZ

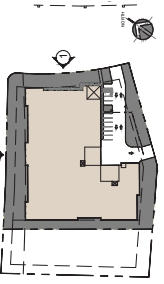
THIS DRAWING AND ITS CONTENTS ARE INSTRUMENT OF SERVICE AND ARE THE COPYRIGHTED PROPERTY OF JORDAN ARCHITECTS, INC. THE USER'S EXPRESSLY INTENDED FOR THE PROJECT NOTED ABOVE AND MAY NOT BE REPRODUCED OR REPRODUCED IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF JORDAN ARCHITECTS, INC. "COPYRIGHT" 1998



EAST ELEVATION 1
3/32" = 1'-0"



NORTH ELEVATION 2
3/32" = 1'-0"

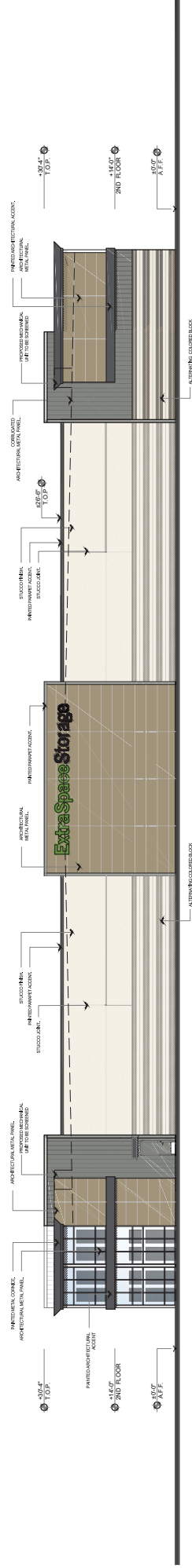
MATERIAL/COLOR LEGEND		KEYPLAN
ACCENT BAND - BERMAN WILLIAMS COLOR: SLATE GRAY (OR APPROVED EQUAL)	ARCHITECTURAL METAL PANEL COLOR: BROWN TONE (OR APPROVED EQUAL)	
CORNER / ACCENT COLOR: WEB GRAY (OR APPROVED EQUAL)	STUCCO - JAMES BERMAN WILLIAMS COLOR: CLASSIC LIGHT BRIGHTNESS (OR APPROVED EQUAL)	
ARCHITECTURAL METAL PANEL COLOR: BROWN TONE (OR APPROVED EQUAL)	CORRUGATED MANUFACTURER: MCI COLOR: BROWN TONE (OR APPROVED EQUAL)	
CAUL BLOCK MANUFACTURER: OCHO BLOCK COLOR: CLASSIC LIGHT BRIGHTNESS (OR APPROVED EQUAL)	CAUL BLOCK MANUFACTURER: OCHO BLOCK COLOR: CLASSIC LIGHT BRIGHTNESS (OR APPROVED EQUAL)	

NOTE - ALL ROOF DRAIN DOWNSPOUTS WILL BE INTERNALIZED AS REQUIRED.

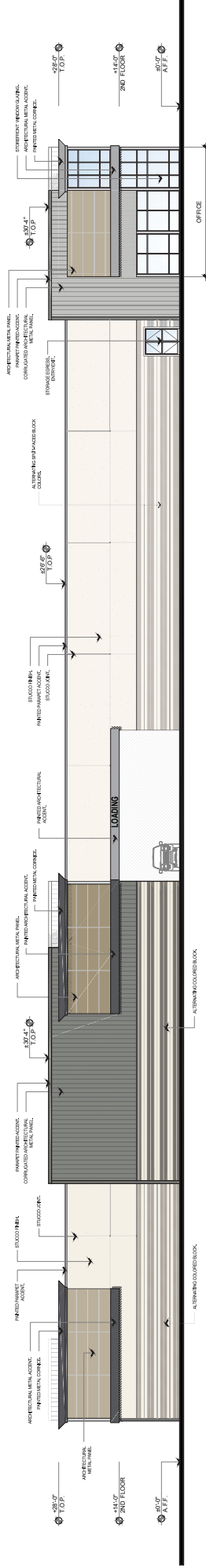
JORDAN
ARCHITECTS
131 CALLE GIESA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

EXTRA SPACE STORAGE PRELIMINARY ELEVATIONS
AVONDALE, AZ

JOB NUMBER: 20-103
SCALE: 3/32" = 1'-0"
DATE: 11/28/2023



WEST ELEVATION 1
3/32" = 1'-0"



SOUTH ELEVATION 2
3/32" = 1'-0"

MATERIAL/COLOR LEGEND		KEYPLAN	
ARCHITECTURAL METAL PANEL MANUFACTURER: METAL PANEL (OR APPROVED EQUAL) CORRUGATED MANUFACTURER: METAL PANEL COLOR: SLATE GRAY (OR APPROVED EQUAL) STUCCO MANUFACTURER: SHERMAN WILLIAMS SW 705 (OR APPROVED EQUAL) ACCENT BAND MANUFACTURER: SHERMAN WILLIAMS SW 4005 (OR APPROVED EQUAL)	ARCHITECTURAL METAL PANEL MANUFACTURER: METAL PANEL (OR APPROVED EQUAL) CORRUGATED MANUFACTURER: METAL PANEL COLOR: SLATE GRAY (OR APPROVED EQUAL) STUCCO MANUFACTURER: SHERMAN WILLIAMS SW 705 (OR APPROVED EQUAL) ACCENT BAND MANUFACTURER: SHERMAN WILLIAMS SW 4005 (OR APPROVED EQUAL)	CAJU BLOCK MANUFACTURER: CAJU BLOCK CONGRUENT COLOR SCHEDULE (OR APPROVED EQUAL) FINISH: SPATIAZE MANUFACTURER: CAJU BLOCK CONGRUENT COLOR SCHEDULE (OR APPROVED EQUAL)	

NOTE - ALL ROOF DRAIN DOWNSPOUTS WILL BE INTERNALIZED AS REQUIRED.

JORDAN ARCHITECTS
131 CALLE GIESA, SUITE 100
SAN CLEMENTE, CA 92672
949.388.8090

EXTRA SPACE STORAGE
AVONDALE, AZ

PRELIMINARY ELEVATIONS

JOB NUMBER: 20-1103
SCALE: 3/32" = 1'-0"
DATE: 11/28/2023

SHEET A6

CITY OF AVONDALE PLANTING DATA SHEET

REQUIRED LANDSCAPE IMPROVEMENTS BY ZONING DISTRICT				REQUIRED	PROVIDED
1A	Single Family Residential (AC RR-43)	RR-18	R1-35 R1-15 R1-6 R1-5	N/A	Tree#

REQUIRED LANDSCAPE AREAS

[illegible][illegible]

Total Trees (Live + AN)	Total Shrubs (Live + AN)	Total Groundcover (Live + AN) ^a	Total Groundcover: inorganic (AN) ^b	Total Right-of-Way Landscape Area	Total Parking Lot Landscaping Area	Total Usable Open Space (PAQ only)	Total Usable Open Space (PAQ only)
%	%	%	%	%	%	%	%
417	408	6,927.7	6,927.7	35,100.0	14,745.6	1,264.0	NA
417	417	6,927.7	6,927.7	35,100.0	14,745.6	1,264.0	NA

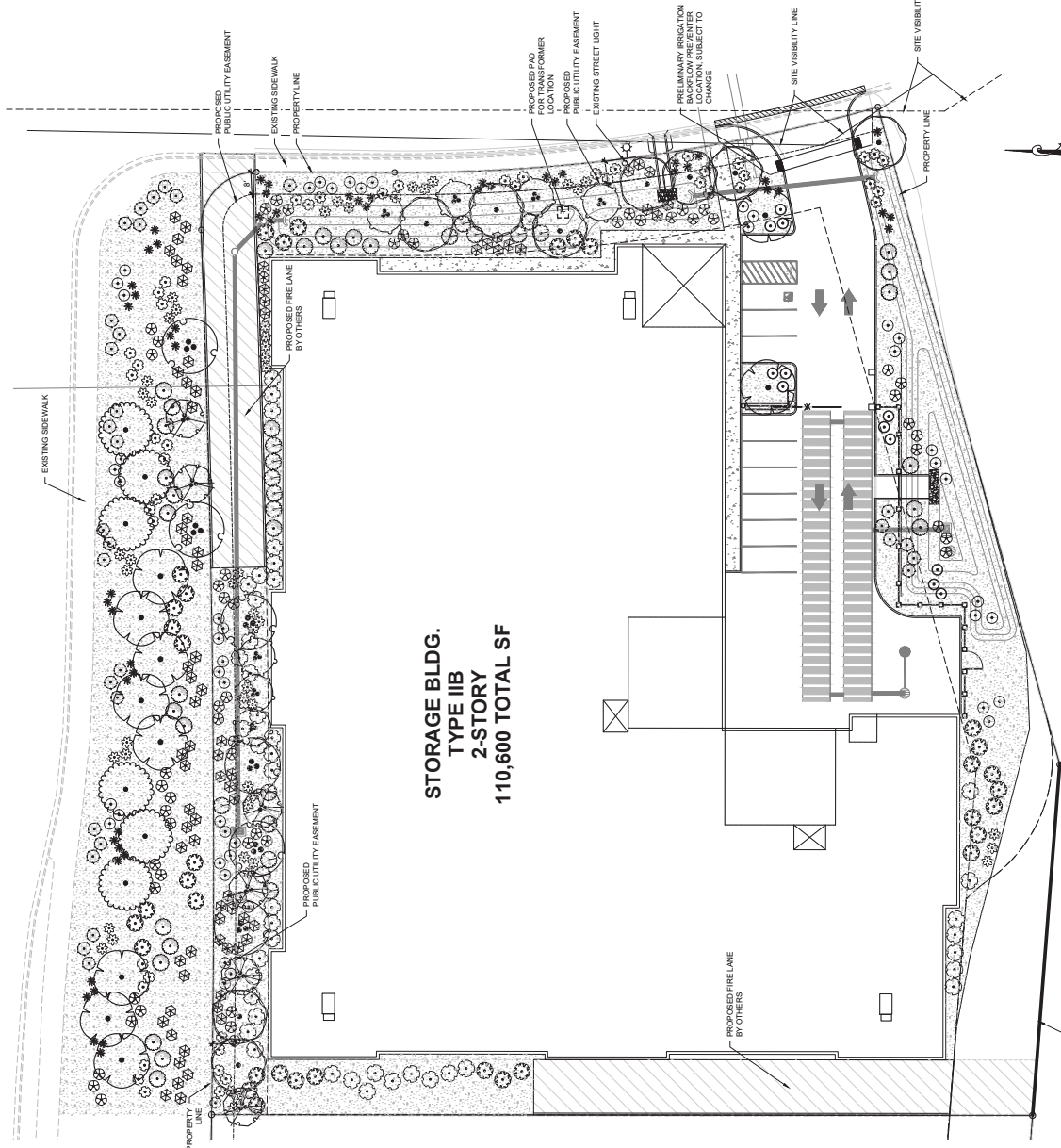
PIANT SCHEDULE

HERBS	CODE	QTY	BOTANICAL / COMMON NAME	SIZE	WADOLS	CAL
	AS	10	ACACIA SALICINA WILLOW ACACIA	24" BOX	1.5" CAL	8" HT MIN
	PC	6	PISTACHIA CHINENSIS 'RED PUSH' RED PUSH CHINESE PISTACHE	24" BOX	1.5" CAL	6" HT MIN
	PL	7	PIRACHTA LENTIGULOSA MASTIC TREE	24" BOX	1.5" CAL	6" HT MIN
	PK	6	PARROTIA SINENSIS 'SILKROAD EMERALD' SILKROAD EMERALD PARROTIA	24" BOX	1.5" CAL	6" HT MIN
	SS	6	SAPHORA SEQUIMIFOLIA TEXAS MOUNTAIN LAUREL	24" BOX	1.5" CAL	5" HT MIN
	UP	9	ULMUS PARVIFOLIA LACINIAE-LEAF	24" BOX	1.5" CAL	8" HT MIN

CA	31		CELESTINA PILCHERRA RED BIRD OF PARADISE	5 GAL	3x3
DS	37		PALM OCEANO THAI NGUO BUSH	1 GAL	6"6"
EE	52		ERIOPHILA HYDROPHANA BLUE BELLS BLUE BELLS EMU BUSH	5 GAL	1x1'
EG	82		ERIOPHILA GLABRA TINGEN NEW GOLD OUTBACK SUNRISE EMU BUSH	1 GAL	6"6"
EM	76		ERIOPHILA MACULATA SPOTTED EMU BUSH	5 GAL	2x2
LH	61		LANTANA X NEW GOLD NEW GOLD LANTANA	1 GAL	1x1'
LL	43		LEUCOPHYLLUM LANGMANAE LYNN'S LEGACY LYNN'S LEGACY LANGMAN SAGE	5 GAL	2x2
SN	38		SENNA NEUROPHILA SENNA	5 GAL	3x3
SV	12		SIAMONDIS CHINENSIS VISTA YACANA	5 GAL	2x2
TS	18		TEODORA STANS YELLOW BELLS	5 GAL	3x3
CODE	QTY	<u>BOTANICAL / COMMON NAME</u>	<u>SIZE</u>	<u>WUOLDS</u>	
HF	01	HEPHERA OF FUMERA MEXICAN FALSE YUCCA	5 GAL	1x3'	
HP	53	HEPHERA OF PARVIFLORA	5 GAL	2x2	

PLANT SCHEDULE

ROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT.
	DX	DECOMPOSED GRANITE 3/4" MINUS, 2" DEEP COLOR: TBD; SAMPLE TO BE SUBMITTED TO OWNER FOR APPROVAL	MULCH



NOTE THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORD DRAWINGS AND FIELD SURVEY DATA. THE CONTRACTOR SHALL VERIFY THE LOCATION AND/OR ELEVATION OF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR DOES NOT GUARANTEE THAT LOCATIONS SHOWN ARE EXACT. THE CONTRACTOR MUST CONTACT THE APPROPRIATE UTILITY COMPANIES AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES. AS SUCH, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND UNCOVERING EXISTING UTILITIES IN THE VICINITY OF THE PROPOSED IMPROVEMENTS AND UTILITY CONNECTION PRIOR TO THE START OF CONSTRUCTION TO ASCERTAIN EXISTING MATERIALS, LOCATIONS, ELEVATIONS, ETC. AND THEIR POTENTIAL CONFLICT WITH PROPOSED IMPROVEMENTS. GC SHALL



Scale 1" = 20'

Exhibit H

December 20, 2023

City of Avondale | Planning Division
ATTN: Michelle Simerdla
11465 West Civic Center Drive
Avondale, AZ 85323

Subject: Neighborhood Meeting Notes
December 19, 2023 @ 5:00pm via Zoom

Attendees:

Paul Hedges (Owner/Developer)
Dawson Hedges (Owner/Developer)
David Meinecke (Architect)
Michelle Simerdla (City of Avondale)
Catherine Lorbeer (City of Avondale)
Veronica Malone (City Councilwoman)
Caller 1 (public)
Caller 2 (public)
Teresa (public)

Dear Ms. Simerdla,

The following is a cursory review of the neighborhood meeting conducted on Tuesday, December 19th, 2023 at 5pm.

The meeting commenced with a brief Powerpoint presentation conducted by David Meinecke of Jordan Architects. The slide show included photosimulations that implimented the design changes worked through with staff and the neighborhood during the previous neighborhood meeting.

Also included in the presentation was an estimate of traffic generation from the proposed project, a breakdown of the onsite security, site function, and operations. The presentation concluded with a question and answer phase.

During the question and answer phase, two callers (refused to provide names) posed a few questions to the presenter and owner/developer. Below is a synopsis of some of the concerns raised along with the owner's response:

1. *Trash dumping in surrounding communities and pest control*
 - The project offers onsite trash disposal along with onsite receptacles for clientele that are emptied daily.
2. *Landscape and water demand concerns*
 - The site is designed per city standards and wrapped with drought tolerant landscaping. The building and parking area occupy the majority of the site area and the detention basin, which requires little-to-no water, is located within the landscaped area.
3. *Traffic, neighboring bus stop and the request for 3rd party traffic input*
 - The owner/developer presented *estimates* of onsite traffic that would have minimal impact on the surrounding infrastructure. These estimates were based on the Institute of Traffic Engineers (ITE) manual
 - a. *Access off of Osborn Road is a bad idea*

- The developer tried to propose access off of West Indian School Road but was told that it was prohibited
- 4. *We would like to see a use that's more conducive to the community and that provides services to the community (i.e. professional offices)*
 - Using the same ITE manual, estimates were provided for the use of office which would exacerbate the current infrastructure and result in exponentially more onsite traffic.
 - In addition, providing the one allowed driveway cut would funnel all of this traffic on Osborn and create a bottle neck of traffic and may result in dangerous ingress and egress.

These are the main talking points from the meeting. Following these points, Staff was asked a number of questions in regards to an additional neighborhood meeting and the approval process to which Staff provided answers.

If you should have any questions or comments regarding the information contained herein, please do not hesitate to contact us.

Sincerely,

The Project Team

February 1, 2024

City of Avondale | Planning Division
ATTN: Michelle Simerdla
11465 West Civic Center Drive
Avondale, AZ 85323

Subject: Neighborhood Meeting Notes
January 31 2024 @ 6:00pm in City meeting room

Attendees:

Paul Hedges (Owner/Developer)
Dawson Hedges (Owner/Developer)
David Meinecke (Architect)
Michelle Simerdla (City of Avondale)
Catherine Lorbeer (City of Avondale)
Attendee 1 (public)
Attendee 2 (public)
Attendee 3 (public)
Attendee 4 (public)
Attendee 5 (public)

Dear Ms. Simerdla,

The following is a cursory review of the neighborhood meeting conducted on Wednesday, January 31, 2024 at 6pm.

Prior to the meeting beginning, Attendee 1 [Tom Lundquist (?)] approached Paul to discuss access to his offices that are to the south of the subject site. Attendee 1 indicated that he was in support of the project and also stated that he has an issue with people dumping trash in their dumpsters.

The meeting then commenced with a brief Powerpoint presentation conducted by David Meinecke of Jordan Architects. The slide show included photosimulations that implimented the design changes worked through with staff and the neighborhood during the previous neighborhood meeting that took place prior to previous approvals.

Also included in the presentation was a graph that displayed traffic counts from Paul's Gilbert facility that is similar in size, a breakdown of the onsite security, site function, and operations. The presentation concluded with a question and answer phase.

During the question and answer phase, two attendees (that refused to sign in) posed a few questions to the presenter and owner/developer. Below is a synopsis of some of the main concerns raised by Attendee's 2 and 3 along with the owner's response:

1. *Trash dumping in surrounding communities and pest control*
 - The project offers onsite trash disposal along with onsite receptacles for clientele that are emptied daily. This was answered during the meeting.
2. *Traffic, neighboring bus stop and the request for a 3rd party traffic report*
 - The owner/developer presented *estimates* of onsite traffic from a similarly sized facility that illustrated minimal impact on the surrounding infrastructure.

3. *We would like to see a use that's more conducive to the community and that provides services to the community (i.e. professional offices)*
 - Using the ITE manual, the presentation provided estimates for office and retail uses which illustrated such uses exacerbate the current infrastructure and result in exponentially more onsite traffic.
 - In addition, providing the one allowed driveway cut would funnel all of this traffic on Osborn and create a bottle neck of traffic and may result in dangerous ingress and egress.
4. *Attendee 3 felt that the design did not reflect the surroundings of the community.*
 - During the previous approval process the Project Team worked at length with the City and incorporated some of the comments from the neighborhood meeting
 - The project incorporates warm desert tones that fit well within the fabric of the community as well as glass elements that aid in blending the project with the surrounding office and retail uses.

Attendee 2 read a lengthily statement that highlighted the above listed concerns. Some of the research conducted that yielded negative statements from Attendee 2 were from competing self storage facilities that have a vested interest in seeing the project not succeed. The project team did not respond to the read statement as the main concerns have been addressed previously.

These are the main talking points from the meeting. If you should have any questions or comments regarding the information contained herein, please do not hesitate to contact us.

Sincerely,

The Project Team

From: City of Avondale <webmaster@avondale.org>
Sent: Tuesday, December 19, 2023 9:04 PM
To: Engineering <Engineering@avondaleaz.gov>
Subject: Zoom meeting with guardian storage

Message submitted from the <City of Avondale> website.

Site Visitor Name: Jay lageschulte
Site Visitor Email: [REDACTED]

Guardian storage sent out a letter with a zoom meeting address for their proposed storage facility at Osborn road and Indian school rd. Tried several times and could no get signed in. Each time it came back invalid. I wonder how many other residents could not get signed in. Concerns me about application PL-23-0303. Meeting was to be on dec. 19th at 6 pm. They gave us no phone number in the mailing to contact them. We are not in favor of a 2 story building on that property. We would have expressed more of our concerns, such as traffic flow had we been able to sign into the meeting. Thank you Jay and Eva lageschulte

From: [Gail Sanchez](#)
To: [Michelle Simerdla](#)
Subject: What comments do you have on the Conditional Use Permit for Extra Space Storage? | Developer Projects | Avondale Connect
Date: Sunday, January 28, 2024 9:21:48 AM

We do not need another storage facility.

There are 3 extremely close that come to mind.

The Post Office I work for would deliver the mail to the business there. Has the Post Office even been notified? My Postmaster was not aware that this was even considered. What about a swap of land with Litchfield Park City Hall? What about Trader Joe's, a Cheesecake Factory, Outback, Longhorn a Miracle Mole Deli or something that would service our area better. Something that would look better even a mom and pop sandwich place. I live in Bel Fleur and have been in this area over 20 years and have worked for that post office and am very familiar with that mail route. It's a lot of medical and only one food place I believe. There's nothing to walk to for lunch or coffee without driving. The neighborhood restaurants in the middle of Litchfield by the Wigwam are very profitable and it's packed daily with residents eating outside that we need more of. We at the Post Office will service whatever is approved and hopefully this area will remain unique and still feel like a small town community.

Sincerely

Gail Sanchez

Litchfield Park

[https://urldefense.com/v3/https://avondaleconnect.org/developer-initiated-projects/news_feed/conditional-use-permit-for-extra-space-2_!!LPHuuNWgF-3BSw!yXb9q-4yGws4knIaNYTYZqceq_JAFc_KFI5-Q6OrN4Zwu9orQDf0uB_tNYgnDFMfuOwIZjU9S-S5dVdyFGC7yU3pmaXJ\\$](https://urldefense.com/v3/https://avondaleconnect.org/developer-initiated-projects/news_feed/conditional-use-permit-for-extra-space-2_!!LPHuuNWgF-3BSw!yXb9q-4yGws4knIaNYTYZqceq_JAFc_KFI5-Q6OrN4Zwu9orQDf0uB_tNYgnDFMfuOwIZjU9S-S5dVdyFGC7yU3pmaXJ$)

Sent from my iPhone

2 comments

Recently active | Posted first

Jms, 17 days ago

Alert moderator

We don't need another storage facility. We have more than enough now. I'm sure there are better options that can be explored

Do you agree? 👍 1 🗨️ 0



TMAZ, 2 months ago

Alert moderator

Seems fine. I've been a boxholder customer of that USPS for 12 years. If they don't see a problem with it, I certainly don't.

Do you agree? 👍 0 🗨️ 1

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33 Dysart Ranch Residents do not recommend approval of CUP PL-23-0303

My name is Eric Blocher and I am a resident on West Mulberry Drive in Dysart Ranch. I have gathered and submitted for the meeting record the signatures of 33 Dysart Ranch residents living in the West Mulberry Drive, West Flower Street, and Monterrey Way cul-de-sacs that are requesting that Conditional Use Permit (CUP) PL-23-0303 for a mini-storage warehouse and personal storage development NOT be approved by the City of Avondale. The 2-story proposed warehouse/storage units would be visible to residents in the Dysart Ranch West Mulberry Drive, West Flower Street, and West Monterrey Way cul-de-sacs and would result in a decline of our property values. The proposed warehouse and personal storage units would also provide no compelling civic benefits to the residents of Dysart Ranch and are recommended to be built on the ample warehouse/storage zoning that already exists along the nearby Loop 303 corridor. Planned operating hours of 6AM to 10AM would promote a potential noise impact to existing residential areas. Based on warehouse/storage unit operating experience found on the Internet, the neighboring residential areas would be exposed to numerous negative impacts such as: vagrancy, infestation, fire hazards, exposure to toxic chemicals, waste management/dumping, etc.

In conclusion, the proposed project does not provide a use that is conducive to the community, nor does it provide a service to the community; therefore, we recommend that CUP PL-23-0303 NOT be approved.

Thank-you for your time.

Do Not Approve CUP PL-23-0003-0303
0303
 2/19/24

As Dysart Park residents, we are requesting that Conditional Use Permit (CUP) PL-23-0003 for a mini-storage warehouse and personal storage development (approximately 800 units) on 2.3 acres should NOT be approved by the City of Avondale. The proposed warehouse/storage units would be visible to residents in the Dysart Ranch West Mulberry Drive, West Flower Street, and West Monterrey Way cul-de-sacs and would result in a decline of our property values. The proposed warehouse and personal storage units would also provide no compelling civic benefits to the residents of Dysart Park and are recommended to be built on the ample warehouse/storage zoning that already exists along the nearby Loop 303 corridor. Based on warehouse/storage unit operating experience found on the Internet, the neighboring residential areas would be exposed to numerous negative impacts such as: vagrancy, infestation, fire hazards, exposure to toxic chemicals, waste management/dumping, etc. In conclusion, we recommend that CUP PL-23-0003 NOT be approved.

Date	Signature	Name (Print)	Address
2-19-24	<i>Eric Blocher</i>	Eric Blocher	
2/19/24	<i>Debra L. Blocher</i>	Debra L. Blocher	
2-19-24	<i>Tracy Moy</i>	Tracy Moy	
2-19-24	<i>Tony Montes</i>	TONY MONTES	
2-19-24	<i>Daniel Leung</i>	Daniel Leung	
2-19-24	<i>Wanlin Liao</i>	Wanlin Liao	
2-19-24	<i>Olive Mapin</i>	Olive Mapin	
2-19-24	<i>Rodel Mapin</i>	Rodel Mapin	
2-19-24	<i>Roberto Berrador</i>	Roberto Berrador	
2-20-24	<i>Manuela G. Berrador</i>	Manuela G. Berrador	
2-20-24	<i>Jay Lageschulte</i>	Jay Lageschulte	
2/20/24	<i>Eva Lageschulte</i>	Eva Lageschulte	
2/20/24	<i>Barney F. Howell</i>	BARNEY F. HOWELL	
2/20/24	<i>Wendy F. Howell</i>	Wendy F. Howell	
2/20/24	<i>Casey Weiss</i>	Casey Weiss	
2/20/24	<i>Tammy Weiss</i>	Tammy Weiss	

Date	Signature	Name (Print)	Address
2/20/24	Adela Martinez	ADELA MARTINEZ	
2/20/24	John Rickmar	John Rickmar	
2/20/24	Amada Rickmar	Amada Rickmar	
2/20/24	Tony Orlando	Tony Orlando	
2/20/24	Vivonne Orlando	Vivonne Orlando	
2/20/24	Sonia Herrera	Sonia Herrera	
2/20/24	Jeffrey Herrera	Jeffrey Herrera	
2/20/24	Matt Doyle	Matt Doyle	
2/21/24	Jill Rife	Jill Rife	
2/21/24	Richard Rife	Richard Rife	
2/21/24	David Hutsen	David Hutsen	
2/21/24	Rosalinda Rumes	Rosalinda Rumes	
2/21/24	Karissa Williams	Karissa Williams	
2/21/24	Joel Williams	Joel Williams	
2/21/24	Elizabeth Boatman	Elizabeth Boatman	
2/21/24	Summer Austin	Summer Austin	
2/21/24	Jared Austin	Jared Austin	

From: [Arrianna Ramirez](#)
To: [Blocher's](#)
Cc: [Catherine Lorbeer](#); [Sandra Freund](#)
Subject: RE: Planning Commission Meeting Request to Speak
Date: Thursday, February 22, 2024 1:46:26 PM

Good afternoon,

Thank you for this corrected information.

Arrianna

From: Blocher's [REDACTED]
Sent: Thursday, February 22, 2024 1:38 PM
To: Arrianna Ramirez <aramirez@avondaleaz.gov>
Subject: Re: Planning Commission Meeting Request to Speak

This Message Is From an Untrusted Sender

You have not previously corresponded with this sender.

Arrianna

Attached is a revised copy of my statement file that corrects a typo for the time mentioned within - changed 10M to 10PM.

During my presentation at the meeting I used the correct time of 10 PM.

Thanks

Eric Blocher

On Wednesday, February 21, 2024 at 04:50:43 PM MST, Blocher's [REDACTED] wrote:

See attached meeting statement & 2 pages of signatures.

Thank-you for assisting

Eric Blocher

On Wednesday, February 21, 2024 at 02:50:44 PM MST, Arrianna Ramirez <aramirez@avondaleaz.gov> wrote:

Hello Eric,

I am reaching out in regards to your question we spoke about on the phone today. You can submit a public comment by emailing us so we can keep this for the records. In this email you may also attach the document of names so we can have on file. When speaking you can make note that you have emailed a public comment with those names that you have gathered.

Thank you,

Arrianna Ramirez

Administrative Assistant

City of Avondale

Development Services

11465 W. Civic Center Dr.

Avondale, AZ 85323

Phone (623) 333-4220

The City of Avondale is open Monday - Thursday, 7 AM - 6 PM.





PLANNING COMMISSION
MEETING MINUTES

Wednesday, February 21, 2024
6:00 pm

1. **WELCOME AND CALL TO ORDER**

Chair White called the meeting to order at 6:01 p.m.

2. **ROLL CALL**

The following members and representatives were present.

COMMISSIONERS PRESENT IN PERSON / PHONE / VIDEO

Chair Larry White
Commissioner Linda Warren
Commissioner Alan Agundez-Castillo
Commissioner Julia Jewell
Alternate Ryan Benson

COMMISSIONERS UNEXCUSED ABSENT

Commissioner Denise Stanfield

CITY STAFF PRESENT

Catherine Lorbeer, Deputy Director of Planning
Arrianna Ramirez, Administrative Assistant
Stephen Kemp, Attorney
Joshua Orton, Senior Planner
Sandra Freund, Senior Planner
Larry Rooney, Fire Chief
Jodie Novak, Development Services Director

3. **APPROVAL OF MINUTES**

Chair White called for a motion to approve the minutes.

Commissioner Agundez Castillo moved to approve the minutes for November 15, 2023, and January 17, 2024;
Commissioner Warren seconded the motion.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	Aye
Commissioner Alan Agundez Castillo	Aye
Alternate Ryan Benson	N/A

Upon Vote, the motion passed 4 to 0

4. **PUBLIC HEARING ITEMS**

a. **EXTRA SPACE STORAGE – CONDITIONAL USE PERMIT – APPLICATION PL-23-0303**

Sandra Freund, Senior Planner, provided an overview of Application PL-23-0303 for a Conditional Use Permit (CUP) to allow a Mini Storage Warehouse and Personal Storage facility in the Palm Valley Planned Area Development (PAD). A CUP for this development was previously approved on June 21, 2021, but has since expired and the applicant is requesting a new approval for the same project to allow the development to move forward. The property is 2.28 net acres, located on the southwest corner of Indian School Road and Osborn Road, which was annexed in the city in 1981 and zoned PAD. To the north is Litchfield Park with single family homes; to the east is Coldwater Station, that contains retail, restaurant, office, and service uses on approximately 3 acres; to the south is the Litchfield Park Post Office and Litchfield Park Plaza; and to the west is undeveloped land with C-2 community uses allowed. This site is zoned Palm Valley PAD with C-2 community commercial uses. The 30-foot tall, 2-story facility is designed for internal access only with operating hours from 6:00 AM to 10:00 PM. Access will only be from west Osborn Road through a controlled security gate and on-site parking will accommodate 10 vehicles with covered loading sections. The south elevation will be visible from the post office.

The staff's analysis finds the project conforms with the General Plan, zoning, and existing development; complies with the City's commercial design manual; and is a low traffic generator. The developer must meet five recommended conditions of approval for the project:

- Consistent with the General Plan 2030 and North Avondale Specific Plan
- Compatible with existing land uses
- Suitable size to accommodate use and meet all required development standards
- Adequate access to public streets and capacity to accommodate traffic generated by proposed use
- Adequate conditions in place to mitigate any potential adverse effects

Two neighborhood meetings were held, one was virtual and the other was in-person. The public comments focused on traffic safety concerns, landscape and water demand, and the proposed use at this location. On the City's digital platform, Avondale Connect, the project received two comments. One of the comments had concerns about the traffic and building height and the other comment voiced support for the project. Staff recommends approval of the application, subject to the five conditions of approval as listed in the staff report.

Applicant Paul Hedges addressed the Commission, noting although the CUP expired, their dedication has not wavered. The project is a step toward meeting Avondale's need to enhance the community and contribute to the local economy. The design will consist of warm desert tones and glass elements for the exterior. The development will have minimal impact on traffic. Monthly services and internal loading would minimize pest concerns and ensure cleanliness and safety. Effective waste management, following city codes, and diligent monitoring help preserve the environment. Hazardous materials or toxic chemicals are not allowed to be stored in the facility.

In response to the commissioners' questions, Ms. Freund clarified Osborn Road does not have a concrete median at the proposed entrance location. The post office is a single-story building to the south and this facility would be approximately 30-feet tall. Mr. Hedges explained how a feasibility study was used to determine the need for a storage facility within this area. They project the facility will fill up within 12 to 18 months and 1 to 3 cars will access the facility every hour. Nearby facilities are at capacity and have minimal vacancies, which are created by raising rents. Based on the growth study conducted, the demand is there. Office hours will be from 9:00 a.m. to 6:00 p.m. and the gate hours will be from 6:00 a.m. to 10:00 p.m. every day. There are many layers of security to keep crime down, including a gate code, exterior cameras, and lighting. Although the lease states the hazardous items are not allowed, it is difficult to monitor and staff walk through the building to see what is coming in and out.

Chair White opened the public hearing.

Ms. Ramirez read a comment card from Mike Llewellyn, who is opposed to this item based on the type and size of the business, the esthetics and industrial service, excessive traffic, loud noise, and visual degradation of the area that will cause property values to decrease.

Ms. Ramirez read a comment card from Christopher Chavez, who is opposed to this item.

Eric Blocher presented 33 signatures from the Dysart Ranch residents to request this project not be approved, citing this would decrease property values and would not benefit the Dysart Ranch residents. The proposed operating hours will result in loud noises within the residential areas and is not conducive to the community. He presented a recommendation to build the warehouse along the Loop 303 Corridor.

Jennifer with the Dysart Ranch Community coalition (DRC) formed around this permit stated this should not be approved for the following reasons:

- The notices were not completed correctly
- Inaccurate information was provided to the Commission
- The title report deed was not current
- C-2 zoning requirements have not been met
- The esthetics do not conform with the area
- The applicant failed to comply with the application requirements

Greg Deeds, also with the DRC, spoke against this item. He noted the report provided by the applicant is incomplete, inaccurate, and that the applicant has misrepresented facts. Building this property will have a long-term adverse effect on the community, safety, and property value. He urged that the lot instead be used for community enrichment.

Public Hearing was closed by Chair White.

In response to Commissioner Warren's questions, Mrs. Lorbeer stated noticing requirements have been met for this item.

Commissioner Jewell moved to approve Application PL-23-0303 Extra Space Storage Conditional Use Permit (CUP) to allow for a mini-storage warehouse and personal storage development, subject to the five conditions of approval. Commissioner Agundez Castillo seconded the motion.

Chair Larry White	Aye
Commissioner Julia Jewell	Nay
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	Nay
Commissioner Alan Agundez Castillo	Aye
Alternate Ryan Benson	N/A

Upon vote, the motion to approve the project failed 2 to 2 so the project is denied.

b. SUN DEPOT ENERGY STORAGE – MAJOR GENERAL PLAN AMENDMENT – APPLICATION PL-23-0053

Josh Orton, Senior Planner, presented the second public hearing for Sun Depot Energy Storage Major General Plan Amendment and the first and only public hearing on the Rezone before this item moves forward to the City Council. This site is located approximately 330 feet west of the southwest corner of Palm Lane and Avondale Boulevard. The approximate 15.92-gross-acre property was annexed into the City in 2006 and is currently being used for agriculture. North of Palm Lane is Canyon Breeze Elementary School, zoned agriculture, and single-family residences zoned Palm Gardens planned area development (PAD). South is McDowell Villas PAD for future townhome rentals and Avondale Commons PAD, zoned mixed use including multifamily, which is under construction for apartments and future commercial and office uses. To the East are larger single-family residences, and to the west are two electrical substations owned by APS and SRP within Maricopa County jurisdiction.

The first request is to amend the General Plan Land Use designation from mixed use to Public/Civic. An explanation of the type of uses allowed under the mixed use and public/civic use was provided. The proposed use for this site is a privately owned battery energy storage facility that is intended to sell stored energy to APS and SRP, which most closely fits the public/civic designation. There is also a request to rezone the property from Agricultural to Sun Depot

Planned Area Development (PAD) to allow for the development of the battery energy storage facility. A conceptual site plan has been provided. If the project is approved, the development must conform to the PAD narrative and conceptual designs presented to staff. The majority of the site is made up of battery storage with primary ingress and egress from West Palm Lane. The proposal includes an 8-foot screen wall and a gravel drive aisle around the perimeter. Requested deviations include to allow:

- Galvanized chain link on west side
- Decreased land use buffer plantings
- Decreased right of way plantings
- Decreased land use setback plantings.

Staff analysis finds the amendment does not constitute an improvement to the 2030 General Plan. The change would alter and adversely impact the current acceptable use land use of the area. A battery energy storage system project would be incompatible with the existing residential, educational, and hospital uses in the vicinity in terms of environmental and safety concerns from a potential fire event and in terms of esthetics. These also present potential life safety concerns in the event of a fire that could have toxic fumes and cause evacuations. Fire incident considerations from the Fire Marshall include:

- The scale of the systems is directly correlated to the effects of their failure, meaning the larger the system, the more danger it presents if it were to fail
- Fire suppression practice involves a defensive approach
- Neighborhood evacuations are probable due to the toxic fumes
- Effects could spread as far as the freeway

The neighborhood meeting was held on January 4, 2024, at City Hall with nine attendees along with members of the applicant's team and one Planning Commissioner. Discussion related to safety, monitoring, and response to any kind of fire events, along with the traffic impact; potential improvements to Palm Lane; benefits to Avondale; and the design, layout, specific details about batteries and security of the site; as well as concerns expressed by Phoenix Children's Hospital.

The City has notified the required agencies and began a 60-day review process. Luke Air Force Base indicated this project would not affect their operations and Arizona Game and Fish had preliminary comments. Thirteen comments were received through Avondale Connect in opposition to the project due to the proximity of homes and school and potential fire risk as well as visual impact and increased traffic. Two citizens spoke in opposition at the first Planning Commission hearing and one individual expressed support. North Avondale Homeowners Association, which is the community north of the project, is in opposition to the project.

Staff recommends denial of Application PL-23-0053 and PL-23-0177 because they are not consistent with the overall intent of the 2030 General Plan and other adopted plan, codes, and ordinances. General Plan states consideration will be given to relationship with surrounding land uses, visual impact of the project, potential fire risk, and public input.

In response to Commissioner Jewell's questions, Mr. Orton advised the individual who previously spoke in favor of the project is employed with Invenergy and Chair White noted he lived in the City of Avondale. Mr. Orton stated the map may not fully reflect current information including education designations. Approximately six people will be employed at the battery storage facility.

Commissioner Agundez Castillo stated he shares staff's concerns and believes this project is not compatible with the land uses surrounding this site.

In response to Commissioner Jewell's questions, Chief Rooney stated this would be very difficult for them to handle, but they do have a plan in place to mitigate. There are many factors such as the wind and weather conditions. The large number of residents and the proximity of the neighborhoods is very concerning and surrounding areas could be shut down for up to a week.

Applicant, Paul Burman discussed how the battery energy storage facilities are an investment in energy safety to create a reliable, compatible, and safe use for a growing community like Avondale. Invenergy will do this responsibly and effectively. The safety elements require analysis of the impacts on hazard mitigation, and as the technology expands, it gets safer. Due to the existing APS and SRP substation, there is no other land use available in the City of Avondale. This project is also committed to adhering to the landscape, wall, and visual aesthetics for the City of Avondale.

In response to the Commissioners' questions, Mr. Burman explained energy comes from the grid of the APS and SRP substations and there would need to be a long-term power purchasing agreement with either utility before the project is built. There will be three employees on site at this facility and the site manager lives in Avondale. The batteries are made from lithium. There is no fire suppression within the individual units. Instead, an alert will be received notifying staff if something needs to be addressed. If there is a fire within one cell, only that cell would be at risk because they are stand-alone units. The facility shows no impact on property values. Most of the residents in the area are SRP customers and Avondale would receive tax revenue from the project. Jim Kennedy, Invenergy Staff Engineer, stated there is extensive testing being done and they will work with the fire department to design a system in the safest way.

In response to Chair White's questions regarding the 2019 incident in Surprise, Mr. Kennedy explained the system's battery management system and that it is designed with a battery management system that can detect any fluctuation and will shut down and disconnect the affected battery cell rack from the rest of the system. Fire suppression is only used to prevent the spread of an electrical fire and the best suppression method will be determined with the fire department. An insulator will be used as a barrier to ensure propagation is limited between cells. Most storage systems use a prevention method called NFPA 69, which detects hydrogen gases. The emergency ventilation system evacuates gases to prevent explosions. The fire department is aware of the development. The NFPA 55 has improved since 2019 and has gone through the 2023 version. This facility would be viewed as a large system. Mr. Burman noted the three employees would park in the drive aisles and the employees' primary focus would be the operations and maintenance of the system.

Chair White asked if this type of technology has advanced to the point that the risk is now low enough to accept putting this facility in a residential location. Mr. Burman responded by referencing multiple events in the Phoenix area that have helped inform safety measures the company will take. He also noted it took a while for people in Youngtown to become educated about and comfortable with this type of facility.

It was noted there are two items under consideration: PL-23-0053, application for a Sun Depot Energy Storage Major General Plan Amendment to amend the General Plan Land Use designation from mixed use to Public/Civic, and PL-23-0177, a request to rezone the property from Agricultural to Sun Depot Planned Area Development.

Chair White opened the public hearing for both Application PL-23-0053 and PL-23-0177.

Vicente Juarez, a resident of Avondale and employee of Invenergy, spoke in favor of the project.

Wilma Brown, a resident of Palm Garden, stated her opposition to the project, noting the risk with high temperatures, overcharging, toxic fumes, and traffic impacts. She also referenced the Gilbert, AZ, 2023 fire.

Layla Villasenor gave a community map to the Commissioners that shows over 100 neighbors that have signed a letter of opposition to this project. She stated of her opposition to the project, noting it would be better suited for an industrial area, will not bring jobs to the City, and is not worth the risk to families in the neighborhoods.

Linda Ressler stated her opposition to the project and asked the commission to take into consideration the Fire Marshall's evacuation report and the letter from Phoenix Children's Hospital.

Chair White closed the public hearing.

Mr. Burman stated Invenergy makes providing safety a high priority and have designs ready for the Fire Marshall to review that do not present any evacuation risks. They want to work with everyone to ensure they are comfortable with this type of technology.

Commissioner Warren moved to recommend denial of Application PL-23-0053, a request to amend the General Plan 2030 Land Use Map designation from Mixed Use to Public/Civic. Commissioner Agundez Castillo seconded the motion.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	Aye
Commissioner Alan Agundez Castillo	Aye
Alternate Ryan Benson	N/A

Upon vote, the motion to recommend denial of the project passed 4 to 0.

c. SUN DEPOT – REZONE – APPLICATION PL-23-0177

Commissioner Agundez Castillo moved to recommend denial of Application PL-23-0177, a request to rezone approximately 15.92 gross acres from Agricultural to Planned Area Development. Commissioner Jewell seconded the motion.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	Aye
Commissioner Alan Agundez Castillo	Aye
Alternate Ryan Benson	N/A

Upon vote, the motion to recommend denial of the project passed 4 to 0.

5. COMMISSIONER ANNOUNCEMENTS

No announcements made.

6. PLANNING DIVISION REPORT

Mrs. Lorbeer thanked the Commissioners for their time and noted the next meeting will be held at an alternative location.

7. CALENDAR

- Special meeting March 20, 2024

8. ADJOURNMENT

There was no further business; Chair White called for a motion to adjourn.

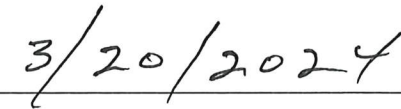
Commissioner Agundez Castillo made a motion to adjourn; seconded by Commissioner Warren.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Denise Stanfield	N/A
Commissioner Linda Warren	Aye
Commissioner Alan Agundez Castillo	Aye
Alternate Ryan Benson	N/A

Upon vote, the motion passed 4 to 0

Meeting Adjourned at 8:00 p.m.


Chair, Larry White


Date