



MUNICIPAL OFFICE COMPLEX
8401 W. MONROE STREET
PEORIA, AZ 85345

**PLANNING & ZONING COMMISSION
REGULAR MEETING
NOTICE & AGENDA
THURSDAY, AUGUST 5, 2010
6:30 P.M.
COUNCIL CHAMBERS
8401 W. MONROE ST.**

**PLANNING & ZONING
COMMISSION:**

Veda McFarland, Chair
Marc Melbo, Vice Chair
Bill Louis, Secretary
Greg Loper
Gene Sweeney
Nancy Golden
Leigh Strickman

Department Liaison
Glen Van Nimwegen

*Accommodations for
Individuals with Disabilities.
Alternative format materials, sign
language interpretation, assistive
listening devices or interpretation
in languages other than English
are available upon 72 hours
advance notice through the Office
of the City Clerk, 8401 West
Monroe Street, Room 150, Peoria,
Arizona 85345 (623)773-7340,
TDD (623)773-7221, or FAX (623)
773-7304. To the extent possible,
additional reasonable
accommodations will be made
available within the time
constraints of the request.*

CONVENE:

ROLL CALL:

OPENING STATEMENT:

CALL TO SUBMIT SPEAKER REQUEST FORMS:

CONSENT AGENDA

CONSENT AGENDA: All items listed with "C" are considered to be routine or have been previously reviewed by the Planning and Zoning Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

CONSENT – New Business:

- 1C** **DISPOSITION OF ABSENCE:** Discussion and possible action to approve/excuse the absences of Commissioners Louis and Loper from the July 15, 2010 meeting.
- 2C** **MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held July 15, 2010.
- 3C** **CU10-0144:** PMT Ambulance Service is requesting a Conditional Use Permit to allow an Ambulance Service Facility. The proposed location is a suite within a multi-tenant commercial/office center at 8466 W Peoria Avenue. The property in question is generally located at the northeast corner of 85th and Peoria Avenues.

- 4C **CU10-0145:** PMT Ambulance Service is requesting a Conditional Use Permit to allow an Ambulance Service Facility. The proposed location is a suite within a multi-tenant commercial/office center at 9015 W Union Hills Drive. The property in question is generally located east of the southeast corner of 91st Avenue and Union Hills Drive.
- 5C **CU10-0146:** PMT Ambulance Service is requesting a Conditional Use Permit to allow an Ambulance Service Facility. The proposed location is within a multi-tenant commercial/office center at 8263 W Thunderbird Road. The property in question is generally located south of the southeast corner of 83rd Avenue and Thunderbird Road.
- 6C **CU10-0147:** PMT Ambulance Service is requesting a Conditional Use Permit to allow an Ambulance Service Facility. The proposed location is within a multi-tenant commercial/office center at 9811 W. Happy Valley Road. The property in question is generally located at the southeast corner of Lake Pleasant Parkway and Happy Valley Road.

REGULAR AGENDA

NEW BUSINESS: None

CALL TO THE PUBLIC: (Non-Agenda Items)

Your comments pertaining to the Planning and Zoning Commission business are welcome. However, if you wish to address the Planning and Zoning Commission, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. Boards and Commissions are not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from Staff:

Reports from the Planning and Zoning Commission:

ADJOURNMENT:

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Board/Commission Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

**PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
JULY 15, 2010
DRAFT**

A **Regular Meeting** of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe St., Peoria, AZ in open and public session at 6:30 p.m.

Members Present: Chair Veda McFarland, Vice Chair Marc Melbo, Commissioners Gene Sweeney, Nancy Golden, and Leigh Strickman.

Members Absent: Commissioners Greg Loper and Bill Louis.

Others Present: Ellen Van Riper - Assistant City Attorney, Glen Van Nimwegen – Planning & Community Development Director, Adam Pruett – Senior Planner, Ed Boik – Planner, Lou Brannick – Development Plans Reviewer, and Bev Parcels – Planning Assistant.

Opening Statement: Read by Adam Pruett, Senior Planner.

Call for speaker request forms.

Audience: Twenty nine.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a “C” are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion.

1C **DISPOSITION OF ABSENCE:** Approve the absences of Commissioners Louis and Loper from the June 17, 2010 meeting.

2C **MINUTES:** Approve the minutes of the Regular Meeting held June 17, 2010.

COMMISSION ACTION: Commissioner Strickman moved to approve the Consent Agenda items. The motion was seconded by Commissioner Golden and upon vote, carried unanimously.

REGULAR AGENDA

NEW BUSINESS:

- 3R **PUBLIC HEARING - CU10-0044:** Coal Creek Consulting requested a Conditional Use Permit to allow a wireless communication facility consisting of a 65 foot high “mono-pine” and associated ground equipment. The property is located at 6830 West Thunderbird Road, northwest of the corner of 67th Avenue and Thunderbird.

STAFF REPORT: Presented by Adam Pruett – Senior Planner.

COMMISSION COMMENT:

Comments included views of the mono-pine from neighbors backyards, the tower being used for internet access, the design of the mono-pine, conducting a balloon test, the number of people to benefit from the service area, and other possible locations for the mono-pine.

PUBLIC COMMENT:

██████████ Applicant – Explained why site was chosen, the attempt by applicant to collocate on an existing site, how coverage will be improved, what views look like from the bordering neighborhood, why height needs to be 65’, that tower will be for wireless internet service, options of where the tower can be located on the site, and the distance of the mono-pine from the back wall to the neighborhood.

██████████ Resident – Opposed to cell tower based on the height and how he had requested a balloon test be performed by applicant.

██████████ Resident – Opposed to cell tower based on design, health risks, and decline of home values.

██████████ Resident – Opposed to cell tower based on number of antennas proposed, and distance from neighborhood property line.

██████████ Resident – Opposed to cell tower based on the effect on the wildlife in the area.

Ellen Van Riper, Assistant City Attorney, gave a brief background on the Telecommunications Act of 1996 and the rights of local jurisdictions in the approval process of wireless communication towers.

COMMISSION ACTION: Commissioner Strickman moved to recommend approval of case CU10-0044 subject to staff conditions. The motion was seconded by Vice Chair Melbo and upon vote, carried unanimously 5-0.

- 4R **PUBLIC HEARING – TA09-02:** The City of Peoria proposed an amendment to several sections within the Zoning Ordinance including Article 14-2 “Definitions”, Article 14-3 “General Provisions”, Article 14-37 “Administrative and Decision Making Bodies”, Article 14-33 “Planned Area Development (P.A.D.) District”, Article 14-36 “Planned Community (PC) District”, and Article 14-39 “Administrative Procedures”. The amendment will change the definition of “Department” and all references to “Community Development Department” to reflect the Department’s renaming, modify current standards regarding

appeal times, provide for enhanced civic engagement processes and requirements, revise Conditional Use Permit evaluation criteria, and provide other minor "housekeeping" updates to Article 14-39.

STAFF REPORT: Presented by Adam Pruet – Senior Planner.

COMMISSION COMMENT:

Clarification was requested about the homeowner associations being notified.

PUBLIC COMMENT: None

COMMISSION ACTION: Commissioner Strickman moved to recommend approval of case TA09-02 to City Council. The motion was seconded by Commissioner Sweeney and upon vote, carried unanimously 5-0.

5R PUBLIC HEARING – TA10-0101: The City of Peoria proposed amendments to Article 14-2 titled "Definitions" and Article 14-09 titled "Non-Residential Districts" to introduce a new definition for tobacco retailer; modify definitions for tavern, bar, lounge and for retail liquor store; add tobacco retailer to the non-residential land use table; make outdoor dining/patio and drive-through restaurant conditional uses within 200-feet of residential zoning; and amend or establish use standards for gas stations, outdoor patios, and drive-through restaurants.

STAFF REPORT: Presented by Ed Boik – Planner.

COMMISSION COMMENT:

Clarification was requested on the notification to neighbors for outdoor dining patios, grandfathering in existing businesses if new owners come in or changes are made to the existing patio area, and changing wording to the fifty foot distance requirement on drive thru menu boards to clarify how the landscape buffer is included.

PUBLIC COMMENT: None

COMMISSION ACTION: Commissioner Strickman moved to recommend approval of case TA10-0101 to City Council. The motion was seconded by Commissioner Sweeney and upon vote, carried unanimously 5-0.

CALL TO THE PUBLIC: (Non-agenda Items): None

REPORT FROM STAFF: None

REPORTS FROM THE PLANNING AND ZONING COMMISSION: None

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:45 p.m.

Veda McFarland, Chair

Date Signed



CONDITIONAL USE PERMIT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: CU 10-0144
DATE: August 5, 2010
AGENDA ITEM: 3C

Applicant: Professional Medical Transport (PMT)
Request: Obtain a Conditional Use Permit to allow an ambulance service facility.
Proposed Use: PMT Ambulance
Location: 8466 West Peoria Avenue, Suite #7 in the Wagoner Plaza commercial center.
Site Acreage: Approximately 1,200 square feet suite within the existing building.
Support / Opposition: As of the date of this printing, staff has not received any phone calls or emails regarding this request.
Recommendation: **Approve**, with conditions.

AREA CONTEXT

Table 1: Existing Land Use, General Plan Designation, and Current Zoning. (Exhibits A- C)

	EXISTING LAND USE	GENERAL PLAN	ZONING
Subject Property	Commercial Building	Mixed Use	C-3, Central Commercial
North	Vacant Commercial Center (Former Smitty's site)	Mixed Use	C-3, Central Commercial
South	Arterial (Peoria Ave), then Commercial (Bar/Tavern)	Mixed Use	CCM, Core Commercial Mixed Use
East	Vacant Commercial Center (Former Smitty's site)	Mixed Use	C-3, Central Commercial
West	Collector (85 th Ave), then Public Building (Post Office) and Multi-Family (Apartments)	Public/Quasi-Public and Residential/High (15+ du/ac)	C-3, Central Commercial and RM-1, Multi-Family

PROJECT DESCRIPTION

Context and Project Details

1. The applicant is proposing an ambulance facility to be located in an approximately 1,200 square foot suite within the existing Wagoner Plaza commercial development. The site is located at the northeast corner of 85th and Peoria Avenues in the Old Town Peoria area. Wagoner Plaza currently houses a restaurant, dental office, florist shop, upholstery store, and other similar uses.
2. PMT Ambulance has been authorized by the City Council to replace Southwest Ambulance as the emergency ambulance provider for the City of Peoria. In order to provide adequate service, the applicant has selected a number of locations within the City to serve as dispatch facilities. The proposed location for the facility is within the same commercial center, although in a different suite, as an existing Southwest Ambulance facility and will operate in a similar fashion as Southwest.
3. This is an existing commercial center and will not require any exterior improvements to the building or the site. The applicant will be required to submit building plans for the tenant improvements for the suite. Any signage will be required to obtain a separate permit.
4. Employee parking is proposed in the front parking lot. Two spaces in the rear will be used for ambulance parking.

FINDINGS AND ANALYSIS

Applicability

5. The Wagoner Plaza commercial center is zoned C-2, Intermediate Commercial. Under the C-2 designation, Ambulance Service Facilities are considered conditional uses (Section 14-5-3, Land Use Matrix) and must obtain a Conditional Use Permit (CUP) prior to operation.
6. Section 14-39-10.D of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses.
7. The use is not expected to impact the adjacent commercial uses or residential properties through light, odor, smoke, heat, or glare. However, siren noise may impact the adjacent multi-family residential area. To mitigate this, the applicant has indicated that the PMT company policy states that sirens will not be turned on until the ambulance reaches a major thoroughfare, and/or intersection. This is listed as a condition of approval.

Analysis

8. In staff's judgment, the proposed use is appropriate and compatible with surrounding land uses and the context of the area in question. Despite the uses' location within the center and its proximity to multi-family residential uses, the limitation on siren operation as indicated in the attached narrative report (Exhibit C) and stipulated with Condition #2, will allow the use to operate in compliance with City Codes and with minimal disturbance to the area's residents, business owners, and patrons.
9. Additionally, as stated previously, the proposed location is within the same center as an existing Southwest Ambulance operation. There are no known complaints regarding the use of an ambulance facility at this location.

Noticing and Neighborhood Comment

10. The application notice was forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. To date, no calls or emails have been received.

Proposition 207

11. The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement that waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

RECOMMENDATION

12. Based on the following findings:
 - The proposal will operate in a manner that does not create undue harm on surrounding users, including the multi-family residential development; and
 - The use, in conjunction with the conditions, will operate in a manner that protects the neighborhood from nuisances and other disturbances and is in alignment with providing appropriate emergency medical response for the City of Peoria.

It is recommended that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU10-0144, subject to the following conditions:

1. The use shall substantially conform to the project narrative (Exhibit C) as contained in the staff report to the Planning & Zoning Commission dated August 5, 2010, except where modified herein.

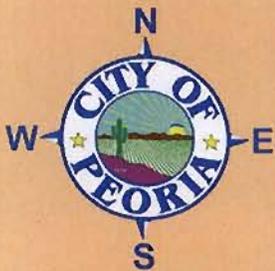
2. Ambulance sirens shall not be activated until the ambulance is off-site and on a major thoroughfare.

Attachments:

Exhibit A	Vicinity/Aerial Map
Exhibit B	Zoning Map
Exhibit C	Project Narrative

Prepared by: Robert Gubser, AICP
Senior Planner

CU10-0144 Vicinity/Aerial Map



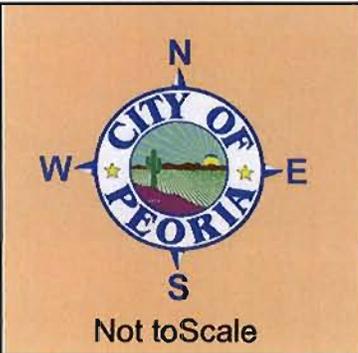
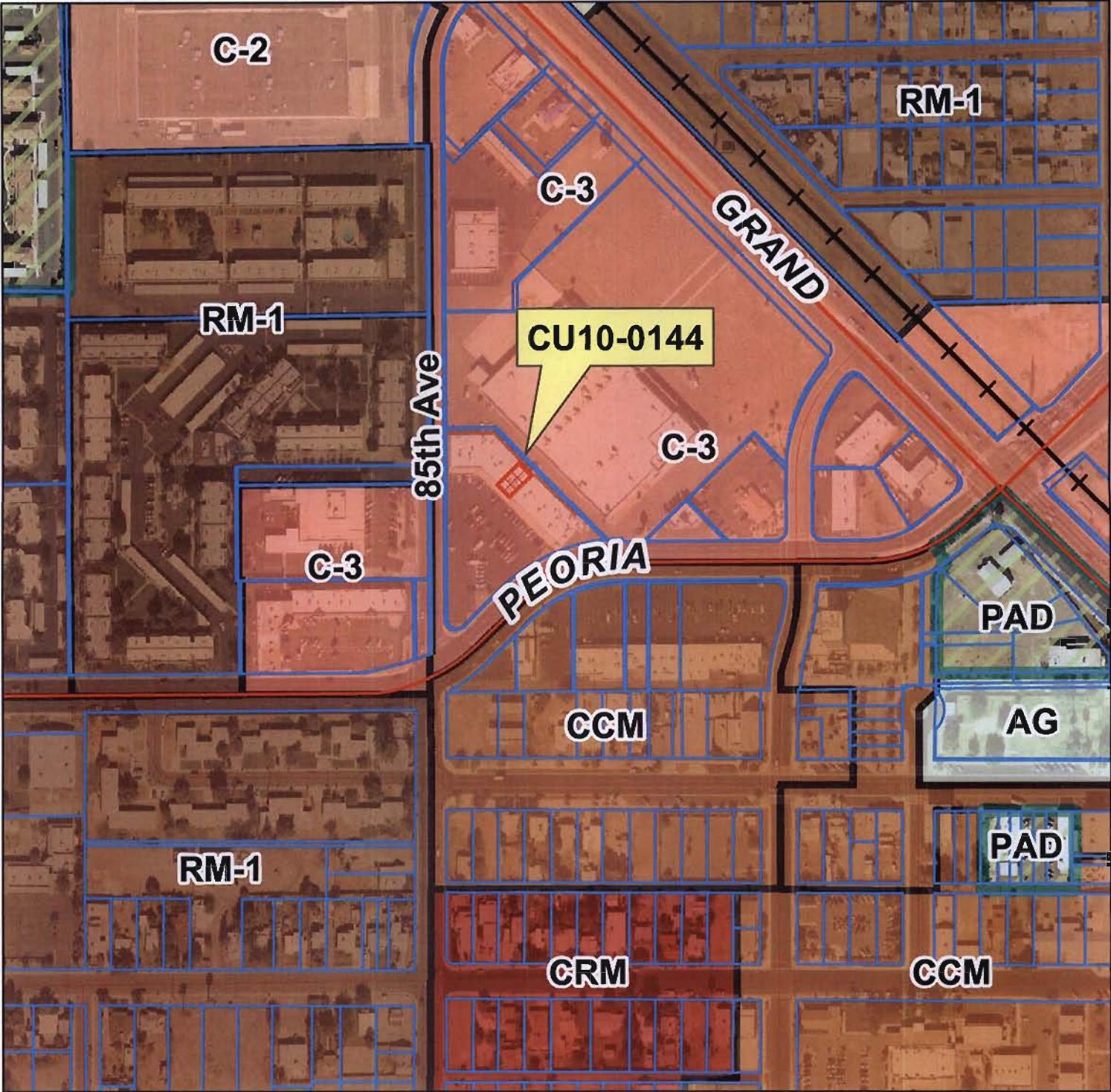
Not to Scale

CU10-0144 PMT Ambulance

Applicant: Professional Medical Transport
Request: Conditional Use Permit for an
Ambulance Service Facility

Exhibit A

CU10-0144 Zoning Map



CU10-0144 PMT Ambulance

Applicant: Professional Medical Transport
Request: Conditional Use Permit for an
Ambulance Service Facility

Exhibit B



To the City of Peoria,
Planning and Zoning Division

7 July 2010

Professional Medical Transport
Narrative for Conditional Use Permit Application
Station Site: 8466 W. Peoria Avenue

The above address has been selected by Professional Medical Transport according to the awarded contract by the Peoria City Council as one of the company's 911 ambulance stations which will provide emergency medical services for the City of Peoria. The station would accommodate a maximum of four Emergency Medical Technicians.

The purpose of this ambulance station is to provide faster, more appropriate response times for the geographic area under exclusive contract for ambulance services awarded by the Peoria City Council on April 29, 2010 per RFP #P10-0041.

Unlike other commercial or retail establishments, there will be minimal vehicular activity.

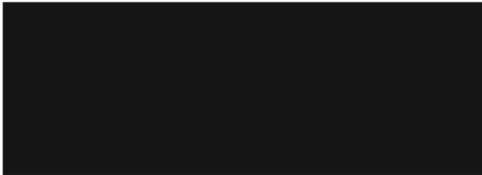
There will be zero ambient conditions added to the surrounding area. No odor, dust, gas, noise, vibration, smoke, heat, or glare.

We will not contribute to any deterioration of the neighborhood or be in conflict with the goals, objectives, and policies of the City of Peoria.

We will be compatible with the existing surrounding structures.

There will be no disruptive behavior which may create nuisances to the surrounding area or general public. The following is language taken from current company policy which addresses this concern:

When driving the ambulance code three in and around your station, do not turn on the siren until you come to a major thoroughfare, and/or intersection. Please do not turn on the siren in front of or near any residential homes neighboring the ambulance station. Once you approach a major intersection, proceed to use full code three procedures.



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Exhibit C



CONDITIONAL USE PERMIT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: CU 10-0145
DATE: August 5, 2010
AGENDA ITEM: 4C

Applicant: Professional Medical Transport

Request: Obtain a Conditional Use Permit to allow an ambulance service facility

Proposed Development: PMT Ambulance

Location: East of the southeast corner of 91st Avenue and Union Hills Drive, specifically 9015 W Union Hills Drive.

Site Acreage: An approximately 1390 s.f. unit within an existing commercial center on approximately 1 acre.

Support / Opposition: As of the date of this printing, staff has not received any phone calls or emails regarding this request.

Recommendation: **Approve**, with conditions.

AREA CONTEXT

Table 1: Existing Land Use, Current Zoning. (Exhibits A & B)

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Commercial Building	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial
North	Commercial Center	Residential Low Density (2-5 du/ac, target of 3 du/ac)	Planned Area Development (Westbrook Village PAD)
South	Single-Family Residential	Residential Low Density (2-5 du/ac, target of 3 du/ac)	Planned Area Development (Star Summit PAD)
East	Commercial Center	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial
West	Commercial Buildings	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial

PROJECT DESCRIPTION

Request and Development Details

1. The applicant is proposing an ambulance facility within a 1,390 square-foot unit at an existing commercial center. The center is approved for unspecified commercial and office uses and currently contains a mixed martial arts gym, a nail salon and flooring store.
2. PMT Ambulance has been authorized by the City Council to provide emergency ambulance services for the City of Peoria. In order to provide adequate service, the applicant has selected a number of locations for dispatch facilities. The subject location is near an existing Southwest Ambulance facility (8877 W Union Hills Drive).
3. The building and landscaping were approved through previous Site Plan, Design Review, and Building Permit applications for this site.
4. Employee parking is proposed in the front parking lot. Two spaces in the rear will be used for ambulance parking.
5. No external changes are proposed. Signs require a separate permit.

FINDINGS AND ANALYSIS

Applicability

6. Section 14-39-10.D of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses.
7. The use is not expected to impact the adjacent commercial uses or residential properties through light, odor, smoke, heat or glare. However, siren noise may impact the adjacent residential district. To mitigate this, the applicant states that sirens will not be turned on until the ambulance is exiting the site and onto an arterial street (Union Hills Drive or 91st Avenue). This is a listed condition of approval.

Analysis

8. In staff's judgment, the proposed use is appropriate and compatible with surrounding land uses and the context of the area in question. Despite the uses' location within the center and its proximity to single-family residential uses, the limitation on siren operation will allow the use to operate in compliance with City Codes and with minimal disturbance.

Noticing and Neighborhood Comment

9. The application notice was forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. No calls or emails have been received.

Proposition 207

10. The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

RECOMMENDATION

11. Based on the following findings:
 - Operation of the site will minimally impact the adjacent uses; and
 - The use, in conjunction with the conditions will operate in a manner that protects the neighborhood from nuisances and other disturbances while providing appropriate emergency medical response.

It is recommended that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU10-0145, subject to the following conditions:

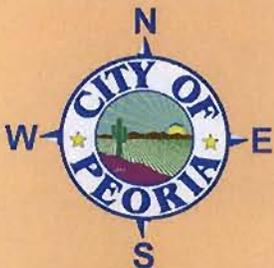
1. The use shall substantially conform to the project narrative (Exhibit D) as contained in the staff report to the Planning & Zoning Commission dated August 5, 2010, except where modified herein.
2. Ambulance sirens shall not be activated until the ambulance is offsite and on an arterial street such as 91st Avenue or Union Hills Drive.

Attachments:

Exhibit A	Location Map
Exhibit B	Zoning Map
Exhibit C	Context Aerial Map
Exhibit D	Project Narrative
Exhibit E	Site Layout

Prepared by: Ed Boik
Planner

CU10-0146 Location Map



Not to Scale

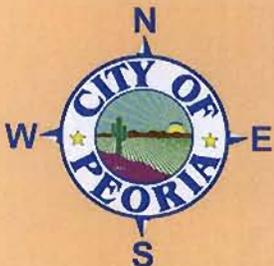
CU10-0146 PMT Thunderbird

Applicant: Professional Medical Transport (PMT)

Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit A

CU10-0146 Zoning Map



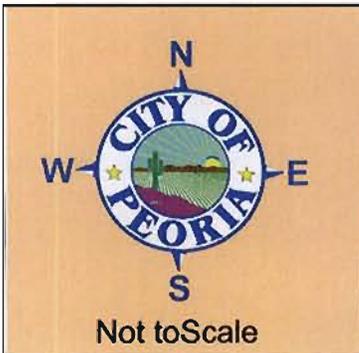
Not to Scale

CU10-0146 PMT Thunderbird

Applicant: Professional Medical Transport (PMT)
Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit B

CU10-0146 Context Map



CU10-0146 PMT Thunderbird

Applicant: Professional Medical Transport (PMT)
Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.



To the City of Peoria,
Planning and Zoning Division

7 July 2010

Professional Medical Transport
Narrative for Conditional Use Permit Application
Station Site: 8263 W. Thunderbird Road

The above address has been selected by Professional Medical Transport according to the awarded contract by the Peoria City Council as one of the company's 911 ambulance stations which will provide emergency medical services for the City of Peoria. The station would accommodate a maximum of four Emergency Medical Technicians.

The purpose of this ambulance station is to provide faster, more appropriate response times for the geographic area under exclusive contract for ambulance services awarded by the Peoria City Council on April 29, 2010 per RFP #P10-0041.

Unlike other commercial or retail establishments, there will be minimal vehicular activity.

There will be zero ambient conditions added to the surrounding area. No odor, dust, gas, noise, vibration, smoke, heat, or glare.

We will not contribute to any deterioration of the neighborhood or be in conflict with the goals, objectives, and policies of the City of Peoria.

We will be compatible with the existing surrounding structures.

There will be no disruptive behavior which may create nuisances to the surrounding area or general public. The following is language taken from current company policy which addresses this concern:

When driving the ambulance code three in and around your station, do not turn on the siren until you come to a major thoroughfare, and/or intersection. Please do not turn on the siren in front of or near any residential homes neighboring the ambulance station. Once you approach a major intersection, proceed to use full code three procedures.



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RECEIVED
7/11 7:00
CWO-0146
1

Ambulance
and employee
parking.
(Two employee
vehicles)

© 2010 Google

© 2009 Google

Imagery Date: Nov 20, 2009

33°36'33.02" N 112°14'12.70" W elev 356 m

Eye alt 474 m

EXHIBIT E



CONDITIONAL USE PERMIT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: CU 10-0146
DATE: August 5, 2010
AGENDA ITEM: 5C

Applicant: Professional Medical Transport

Request: Obtain a Conditional Use Permit to allow an ambulance service facility

Proposed Development: PMT Ambulance

Location: South of the southeast corner of 83rd Avenue and Thunderbird Road, specifically 8263 W Thunderbird Road.

Site Acreage: An approximately 1,517 s.f. unit within an existing commercial building on approximately 0.47 acres.

Support / Opposition: As of the date of this printing, staff has received one phone call regarding this request.

Recommendation: **Approve**, with conditions.

AREA CONTEXT

Table 1: Existing Land Use, Current Zoning. (Exhibits A & B)

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Commercial/Office Building	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial
North	Gas Station	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial
South	Veterinarian Clinic	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial
East	Commercial Office Center	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial
West	Commercial Center, Gas Station, Restaurant	Residential Low Density (2-5 du/ac, target of 3 du/ac)	C-2, Intermediate Commercial

PROJECT DESCRIPTION

Request and Development Details

1. The applicant is proposing an ambulance facility within a 1,517 square-foot unit at an existing commercial/office building. The center is approved for commercial and office uses and currently contains an insurance agency.
2. PMT Ambulance has been authorized by the City Council to provide emergency ambulance services for the City of Peoria. In order to provide adequate service, the applicant has selected a number of locations for dispatch facilities. The subject location is one mile north of an existing Southwest Ambulance facility (8282 W Cactus Road).
3. The building and landscaping were approved through previous Site Plan, Design Review, and Building Permit applications for this site.
4. Employee and ambulance parking will be in the rear, east side of the building.
5. No external changes are proposed. Signs require a separate permit.

FINDINGS AND ANALYSIS

Applicability

6. Section 14-39-10.D of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses.
7. The use is not expected to impact the adjacent commercial uses or residential properties through light, odor, smoke, heat or glare. However, siren noise may impact the nearby residential district, which is just over 100-feet from the subject property. To mitigate this, the applicant states that sirens will not be turned on until the ambulance is exiting the site and onto an arterial street (Thunderbird Road and 83rd Avenue). This is a listed condition of approval.

Analysis

8. In staff's judgment, the proposed use is appropriate and compatible with surrounding land uses and the context of the area in question. Despite the uses' location within the center and its proximity to single-family residential uses, the limitation on siren operation will allow the use to operate in compliance with City Codes and with minimal disturbance.

Noticing and Neighborhood Comment

9. The application notice was forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. No calls or emails have been received.

10. One phone call expressing concern with regard to available parking and ambulance sirens has been received. The caller did not support or oppose the request.

Proposition 207

11. The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

RECOMMENDATION

12. Based on the following findings:
 - Operation of the site will minimally impact the adjacent uses; and
 - The use, in conjunction with the conditions will operate in a manner that protects the neighborhood from nuisances and other disturbances while providing appropriate emergency medical response.

It is recommended that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU10-0146, subject to the following conditions:

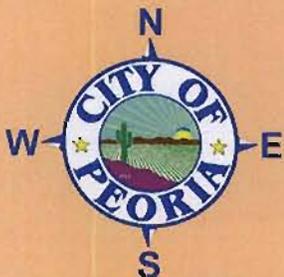
1. The use shall substantially conform to the project narrative (Exhibit D) as contained in the staff report to the Planning & Zoning Commission dated August 5, 2010, except where modified herein.
2. Ambulance sirens shall not be activated until the ambulance is offsite and on an arterial street such as 83rd Avenue or Thunderbird Road.

Attachments:

Exhibit A	Location Map
Exhibit B	Zoning Map
Exhibit C	Context Aerial Map
Exhibit D	Project Narrative
Exhibit E	Site Layout

Prepared by: Ed Boik
Planner

CU10-0145 Location Map



Not to Scale

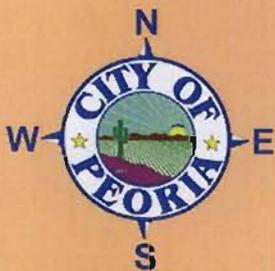
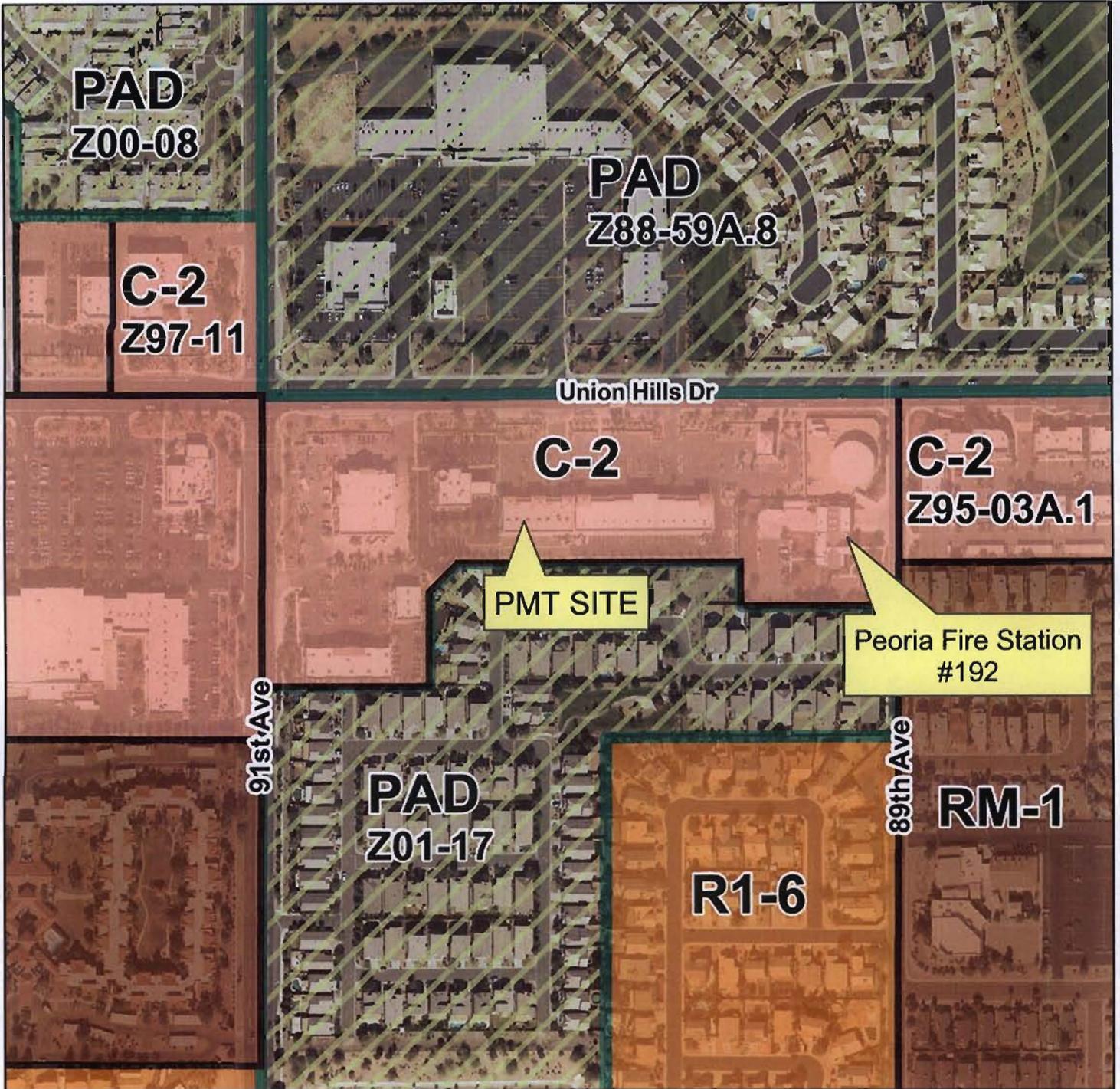
CU10-0145 PMT Union Hills

Applicant: Professional Medical Transport (PMT)

Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit A

CU10-0145 Zoning Map



Not to Scale

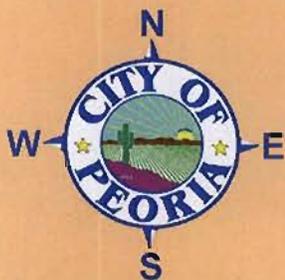
CU10-0145 PMT Union Hills

Applicant: Professional Medical Transport (PMT)

Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit B

CU10-0145 Context Map



Not to Scale

CU10-0145 PMT Union Hills

Applicant: Professional Medical Transport (PMT)

Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit C



To the City of Peoria,
Planning and Zoning Division

7 July 2010

Professional Medical Transport
Narrative for Conditional Use Permit Application
Station Site: 9015 W. Union Hills

The above address has been selected by Professional Medical Transport according to the awarded contract by the Peoria City Council as one of the company's 911 ambulance stations which will provide emergency medical services for the City of Peoria. The station would accommodate a maximum of four Emergency Medical Technicians.

The purpose of this ambulance station is to provide faster, more appropriate response times for the geographic area under exclusive contract for ambulance services awarded by the Peoria City Council on April 29, 2010 per RFP #P10-0041.

Unlike other commercial or retail establishments, there will be minimal vehicular activity.

There will be zero ambient conditions added to the surrounding area. No odor, dust, gas, noise, vibration, smoke, heat, or glare.

We will not contribute to any deterioration of the neighborhood or be in conflict with the goals, objectives, and policies of the City of Peoria.

We will be compatible with the existing surrounding structures.

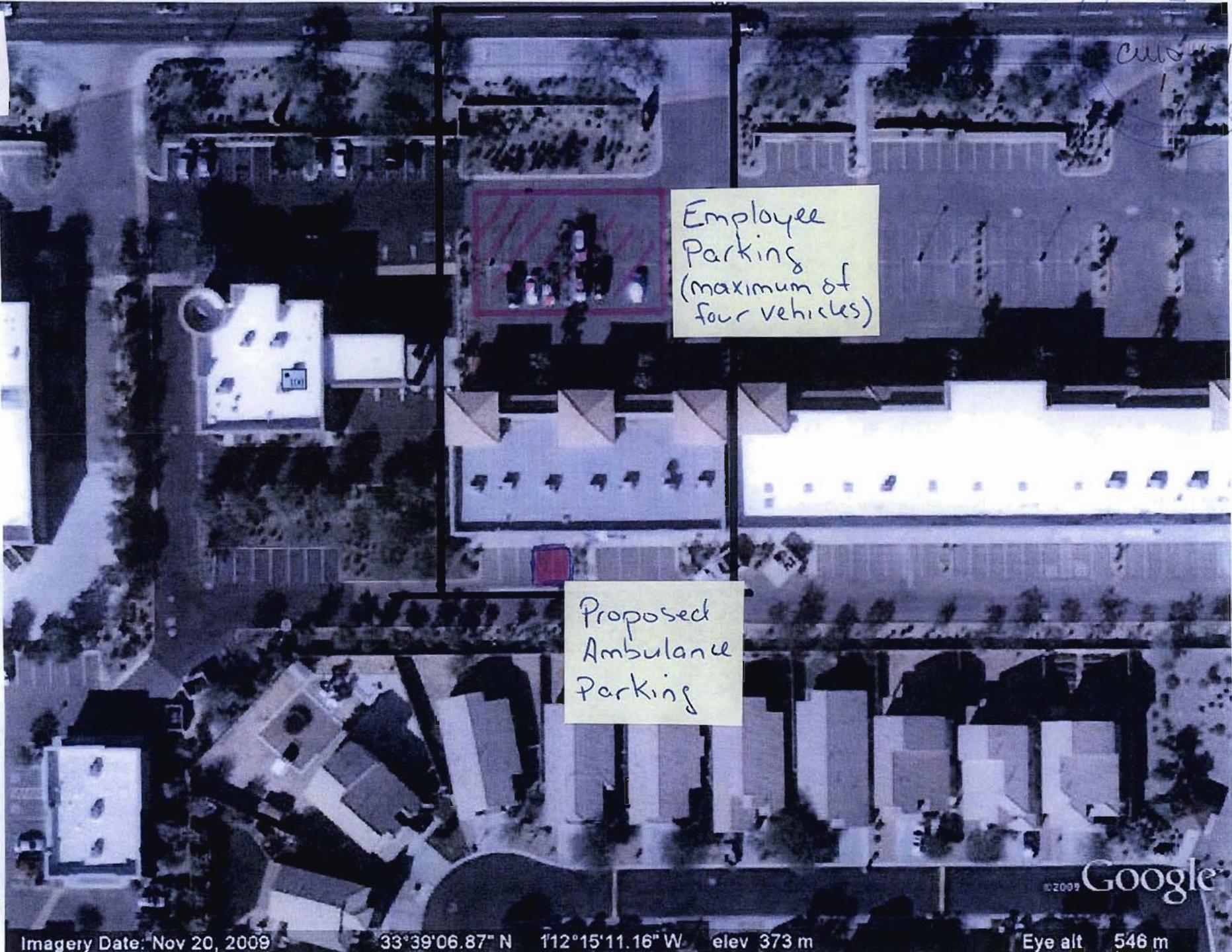
There will be no disruptive behavior which may create nuisances to the surrounding area or general public. The following is language taken from current company policy which addresses this concern:

When driving the ambulance code three in and around your station, do not turn on the siren until you come to a major thoroughfare, and/or intersection. Please do not turn on the siren in front of or near any residential homes neighboring the ambulance station. Once you approach a major intersection, proceed to use full code three procedures.



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Employee
Parking
(maximum of
four vehicles)

Proposed
Ambulance
Parking



CONDITIONAL USE PERMIT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: CU 10-0147
DATE: August 5, 2010
AGENDA ITEM: 6C

Applicant: Professional Medical Transport
Request: Obtain a Conditional Use Permit to allow an ambulance service facility
Proposed Development: PMT Ambulance
Location: 9811 W. Happy Valley Road, Suite 1400 (southeast corner of Happy Valley Road & Lake Pleasant Parkway).
Site Acreage: 1200 square-foot suite on a .91-acre site.
Support / Opposition: As of the date of this printing, staff has not received any phone calls or emails regarding this request.
Recommendation: **Approve**, with conditions.

AREA CONTEXT

Table 1: Existing Land Use, Current Zoning. (Exhibits A & B)

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Commercial Building	Community Commercial	Planned Area Development
North	Commercial Center; Happy Valley Road	Community Commercial	Planned Area Development
South	Vacant	Community Commercial; Residential Estate	SR-43 (proposed commercial PAD on file)
East	Commercial Center; Vacant	Community Commercial; Residential Estate	R1-35
West	Commercial Center; Lake Pleasant Parkway	Community Commercial	Planned Area Development

PROJECT DESCRIPTION

Request and Development Details

1. The applicant has requested approval of a Conditional Use Permit to allow Professional Medical Transport (PMT) to occupy a 1200 square foot suite within at existing multi-tenant building located at 9811 W. Happy Valley Road near the center of the Mountainside Crossing shopping center.
2. This request was made by PMT shortly after the City Council granted a contract to allow PMT to serve as Peoria's ambulance provider. This facility, referred to as "Station 195", is one of four new proposed locations throughout the City.
3. The suite will be improved for office, dispatch and supply uses and the site will provide parking for employees and for two ambulances. Ambulance parking will be to the rear of the suite. Though on-site parking is provided in a quantity suitable for commercial retail users, only about four spaces are actually needed for this particular use.

FINDINGS AND ANALYSIS

Applicability

4. The Mountainside Crossing shopping center is zoned PAD. This particular PAD cites the City's C-2 Intermediate Commercial for its permitted and conditional uses. By doing so, ambulance service facilities are considered conditional uses (Section 14-5-3, Land Use Matrix) and must obtain a Conditional Use Permit (CUP) prior to operation.
5. As described in Section 14-39-10.D of the Zoning Ordinance, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses.

Analysis

6. In staff's judgment, the proposed use is an appropriate, non-intrusive use within this commercial center. This is a good location due to its close proximity to Peoria Fire Station 195 at Lake Pleasant Parkway and Pinnacle Peak Road and its distance from residential development. This location minimizes any perceived impacts from an ambulance service facility and is further minimized through PMT's company policy which states: *"When driving the ambulance code three in and around your stations, do not turn on the siren until you come to a major thoroughfare, and/or intersection. Please do not turn on the siren in front of or near any residential homes neighboring the ambulance station. Once you approach a major intersection, proceed to use full code three procedures."*

7. The location of the proposed facility is approximately 1125 feet from the nearest residential lot to the south which is buffered by an intervening parcel – zoned SR-43, but a commercial rezoning application is on file – and a 230-foot wide powerline corridor. To the east is a 160-acre tract of vacant land zoned R1-35, which had completed preliminary platting (Aviara Estates), but not final platting. This facility is approximately 750 feet from Aviara Estates and is buffered by existing retail buildings, parking and future pad building (currently a vacant pad site).

Noticing and Neighborhood Comment

8. The application notice was forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. No calls or emails regarding this application have been received.

Proposition 207

9. The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

RECOMMENDATION

10. Based on the following findings:
 - The proposal is limited in scope and is an appropriate use for this commercial center;
 - The proposal will operate in a manner that does not create undue harm on surrounding users, including residential developments;
 - The applicant has provided evidence of self-regulation through their current operation policy pertaining to the use of sirens;
 - This proposal is consistent with the current zoning of the property and with the criteria for obtaining a Conditional Use Permit.

It is recommended that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU10-0147, subject to the following conditions:

1. The use shall substantially conform to the project narrative (Exhibit D1-D2) as contained in the staff report to the Planning & Zoning Commission dated August 5, 2010, except where modified herein.
2. Ambulance sirens shall not be activated until the ambulance is off-site and on an arterial street such as Lake Pleasant Parkway or Happy Valley Parkway.

Attachments:

Exhibit A	Location Map
Exhibit B	Zoning Map
Exhibit C	Site Aerial Map
Exhibit D1-D2	Project Narrative

Prepared by: Adam D. Pruett, AICP
Senior Planner

CU10-0147 Location Map



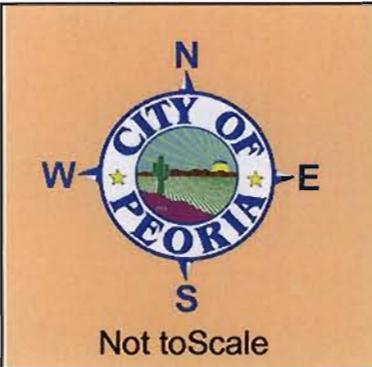
Not to Scale

CU10-0147 PMT Mountainside Crossing

Applicant: Professional Medical Transport (PMT)
Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit A

CU10-0147 Zoning Map

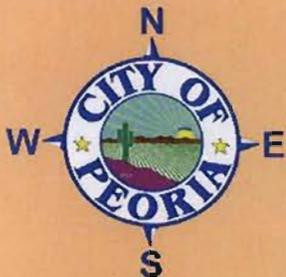


CU10-0147 PMT Mountainside Crossing

Applicant: Professional Medical Transport (PMT)
Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit B

CU10-0147 Site Aerial Map



Not to Scale

CU10-0147 PMT Mountainside Crossing

Applicant: Professional Medical Transport (PMT)

Request: Conditional Use Permit to allow the operation of an ambulance service facility from an existing commercial building.

Exhibit C



To the City of Peoria,
Planning and Zoning Division

7 July 2010

Professional Medical Transport
Narrative for Conditional Use Permit Application
Station Site: 9811 W. Happy Valley Road

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Exhibit D1

County Parcels



Exhibit D2

SCALE 1 : 1,154



Thursday, July 08, 2010 2:27 PM