

Attachment C

REPORT OF PLANNING HEARING OFFICER ACTION
Byron Easton, Planner III, Hearing Officer
Teresa Garcia, Planner I, Assisting

July 16, 2025

ITEM NO: 2	
	DISTRICT NO. 8
SUBJECT:	
Application #:	PHO 10-25--Z-287-85-8
Location:	Southwest corner of Hohokam Expressway (48th Street) and University Drive
Zoning:	C-2 M-R
Acreage:	2.54
Request:	1) Request to modify Stipulation 1 regarding general conformance to the site plan date stamped July 6, 2007. 2) Request to modify Stipulation 7 regarding general conformance to the elevations date stamped July 6, 2007.
Applicant:	Gerald Kessler
Owner:	Lalita Investments, LLC and Soleil Conference Center, LLC
Representative:	Gerald Kessler

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this request on July 8, 2025 and recommended approval by a vote of 14-0.

DISCUSSION:

Vanessa MacDonald, representative of Pew and Lake, gave an overview of the site and the modification requests. She explained that the applicant and property owner are developing a Townplace Suites by Marriott hotel and conference center. She explained that the proposal was heard last week, July 8, 2025, by the South Mountain Village Planning Committee and they recommended unanimous approval of the request. She stated that the site is surrounded by several developments including airport uses, other hotels, industrial uses and added that this site has remained undeveloped. She further detailed that the applicant submitted their plans for site plan review and were informed that two

stipulations must be modified before they could proceed. She stated that there are two stipulations that require modification. The two stipulations reference old site plans and instead should reference the new site plans. She detailed the changes to the site plan and showed the rendering for the new hotel and conference center proposed for the site.

Byron Easton, Planning Hearing Officer, stated Stipulation 1 contains language regarding the hotel south of Corporate Boulevard. He asked Ms. MacDonald if the stipulation referred to the hotel currently built to the south of the PHO boundary established by this application.

Ms. MacDonald stated she was unsure, the stipulation was written years ago, and Corporate Boulevard apparently was not built. Mr. Easton agreed and recommended cleaning up the stipulation language to remove the mention of the site south of Corporate Boulevard.

Planning Officer Easton recommended approval with a modification to Stipulation 1 regarding general conformance to the site plan, adding general conformance and site-specific language, and removing the mention of the site south of Corporate Boulevard. Mr. Easton stated the South Mountain Village Planning Committee (VPC) recommended approval by a vote of 14-0 and no correspondence was received for the case. Mr. Easton recommended approval with a modification to Stipulation 7 regarding general conformance to the elevations. He explained that the modification is to replace the original stipulation language with updated language that only references the current proposal. He recommended three additional archaeology stipulations since the site was identified as archaeologically sensitive.

FINDINGS:

- 1) The request to modify Stipulation 1 regarding general conformance to the site plan is recommended to be approved with a modification. The modification is to replace the existing stipulation language with a new general conformance stipulation that removes reference to offsite improvements and/or roads that never developed. The new site plan shows a hotel and conference center that is consistent with the zoning and the surrounding development pattern.
- 2) The request to modify Stipulation 7 is approved with a modification to remove the reference to the structures and development originally approved per Z-287-85-8 and Corporate Boulevard. The conceptual elevations have been reviewed and recommended to be approved by the South Mountain VPC and are attractive and compatible with the design and land use pattern in the surrounding area.

- 3) The site is identified as archaeologically sensitive and three additional stipulations are recommended to be included to address requirements for archaeological survey and testing (Stipulations 13 through 15).

STIPULATIONS:

1.	<p>That THE development SHALL be in general conformance WITH to the site plan DATE STAMPED dated MAY 14, 2025 4/13/19, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. except for the hotel site south of the Corporate Boulevard which shall be in general conformance to the site plan date stamped July 6, 2007 and as may be modified by the Development Services Department.</p>
2.	<p>ThatThe applicant agrees to construct the re-aligned 48th Street (as depicted on the site plan as Proposed Corporate Boulevard) at their cost, upon agreement that the City will transfer to the applicant the abandoned right-of-way from the service road as outline in the approved Development Agreement. That construction of Corporate Boulevard commence (to it's ultimate completion) with the first development of the site.</p>
3.	<p>ThatThe applicant agrees to install interim landscape improvements along the service road right-of-way at a cost ration and to the extent outlined in the Development Agreement executed between the City of Phoenix and the applicant. The interim landscape improvement should be generally consistent with the standards as outlined in Stipulation No.4. Said landscape improvements are to be installed no later than June 40, 1994, or the Planning Commission may initiate an application to reinstate the conditional zoning time stipulation.</p>
4.	<p>That In the event a Development Agreement (as referenced in Stipulation No.3) is not executed between the City and the applicant by the time of City Council final approval of this action, the following stipulations shall apply. The applicant will install (at their cost) interim landscape improvements along both sides of the service road right-of-way within 180 days of final City Council approval of this action. The interim landscape improvements shall consist of a minimum of a 10-foot-wide area of decomposed granite and contain trees spaced a maximum of 30 feet on center (or an equivalent grouping) with a watering system. If landscape improvements are not completed within this time frame, the Planning Commission may initiate an application to reinstate the conditional time stipulation.</p>
5.	<p>ThatBuilding heights SHALL not exceed 107 feet in accordance with Section 404 of the Zoning Ordinance and that, in no instance; shall</p>

	development allow projections (mechanical equipment, antennas, etc.) In excess of the 1,278 foot elevation established by the Horizontal Zone of the Sky Harbor Zoning Map.
6.	That Development SHALL not exceed a maximum of 1,330,000 square feet or exceed a height of 8 (eight) stories. That development in excess of 800,000 square feet will require Planning Hearing Officer review.
7.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED MAY 14, 2025 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. That all structures including the office, hotel and parking structures(s) as well as the plaza, courtyard and sidewalks shall be integrated with similar materials, surface textures and color, except for the hotel site south of the Corporate Boulevard which shall be in general conformance to the elevations date stamped July 6, 2007.
8.	That An overall landscaping and streetscape plan, encouraging pedestrian use, shall be submitted for review and approval by the Development Services Department – pedestrian amenities, such as seating, water, sculpture and adequate shading should be emphasized.
9.	That Any reflective glass used in construction of the project is limited to a maximum of 20 percent reflectivity.
10.	That The PLANNING AND Development Services Department continue to review traffic implications as part of the site plan review.
11.	That Development of the office site (Parcel B) shall include a minimum 15% landscape open space with enhanced pedestrian/plazas between the buildings.
12.	That The applicant shall maintain the landscaping along the access road in accord with the Development Agreement.
13.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
14.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY

	ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
15.	IN THE EVENT ARCHAEOLOGICAL MATERIALS ARE ENCOUNTERED DURING CONSTRUCTION, THE DEVELOPER SHALL IMMEDIATELY CEASE ALL GROUND-DISTURBING ACTIVITIES WITHIN A 33- FOOT RADIUS OF THE DISCOVERY, NOTIFY THE CITY ARCHAEOLOGIST, AND ALLOW TIME FOR THE ARCHAEOLOGY OFFICE TO PROPERLY ASSESS THE MATERIALS.

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