

Attachment B



City of Phoenix

Staff Report: Z-4-10-6 (PHO-1-19)

APPLICATION: Z-4-10-6 (PHO-1-19)

APPLICANT: Rakesh Patel, Hillstone Restaurant Group

REPRESENTATIVE: Heidi Short, Lewis Roca Rothgerber Christie LLP

OWNER: Hillstone Restaurant Group, Inc.

LOCATION: Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road

REQUEST:

- 1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped March 11, 2010 and the landscape plan date stamped April 8, 2010.
- 2) Deletion of Stipulation 2.e regarding landscape palette.
- 3) Deletion of Stipulation 4 regarding a minimum 10-foot landscape setback along the west property line.
- 4) Technical corrections to Stipulations 2, 3, 5, 6, and 7.

STAFF RECOMMENDATION

It is recommended that this request be denied as filed and approved with modifications as recommended by the Planning Hearing Officer.

PLANNING HEARING OFFICER RECOMMENDATION

At the February 19, 2020 hearing, the Planning Hearing Officer took this case under advisement. On February 28, 2020, the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications.

BACKGROUND/ANALYSIS

The subject property is located approximately 300 feet east and 160 feet south of the southeast corner of the 31st Street and Camelback Road and is approximately 0.36 gross acres. The property is vacant and zoned P-1. The applicant proposes to develop the site as an additional parking area for the proposed Hillstone restaurant on the parcel immediately adjacent to the north. The restaurant is proposed in companion case Z-41-94-6 (PHO-2-19).

The applicant requested modification of Stipulation 1, regarding general conformance to the stipulated site plan, to accommodate a new site plan and landscape plan. The applicant's proposed site plan was updated to reflect the smaller restaurant concept. The applicant stated that they wanted to add conformance to a landscape plan to address previous landscaping stipulations and depict landscaping throughout the site.

The applicant requested deletion of Stipulation 2.e, requiring the landscape palette to be consistent with the commercial property to the southeast, because the adjacent property has an older site plan and landscape palette that is not compatible with the proposed site plan, building design, and other proposed improvements for the proposed restaurant.

The applicant requested deletion of Stipulation 4, regarding a minimum 10-foot landscape setback along the west property line, because the adjacent residential properties have ample landscaping and the existing wall will be supplemented with a second six foot tall wall for sound attenuation. However, at the PHO hearing, the applicant stated that they intended to withdraw this request and would provide the 10-foot landscape setback as stipulated. The applicant also submitted an updated landscape plan depicting the change.

PREVIOUS HISTORY

On July 7, 2010, the City Council approved the request from R1-6 (Single-Family Residence) to P-1 (Parking District) per the June 2, 2010 memo from the Planning and Development Services Director. The memo provided modified and additional stipulations that the applicant developed to earn the support of an immediate neighbor of the proposed P-1 parcel.

The applicant proposed a surface parking lot to serve the adjacent commercial property, Donovan's restaurant. The restaurant provided on-site parking to meet existing ordinance requirements, but this parking did not adequately support the actual parking needs. The request was intended to reduce neighborhood traffic and overflow parking generated from the existing restaurant. The size and scale of the parking lot was designed to be sensitive to the neighborhood to the south.

The applicant worked with nearby residents who expressed concerns regarding whether the use was appropriate adjacent to residential zoning, noisy patrons and employees, whether the parking lot could devalue properties, and potential impacts of headlights shining into private yards.

NEIGHBORHOOD CONCERNS

Correspondence

37 letters of opposition were received regarding this request. Concerns included the following:

- Opposition to the driveway on 31st Street (34 items)

- The driveway on 31st Street should be restricted to emergency access only (two items)
- Increased traffic in the neighborhood (five items)
- Wall on the south property line (one item)
- Alternative ingress/egress recommendations – second driveway on Camelback Road or shared entry with the property to the east (one item)
- Negative impact to residents in the community (one item)

13 letters of support were received regarding this request. Points raised in these letters included the following:

- Hillstone's positive reputation related to community awareness (2 items)
- The proposed restaurant has a smaller building footprint (5 items)
- The building height will be lower (2 items)
- The new development will provide greater distance between the restaurant and residences to the south (2 items)
- The proposed ingress/egress will allow traffic to flow easily, without distraction to the neighborhood (1 item)
- The restaurant will complement the neighborhood (3 items)
- The restaurant will positively contribute to Arizona's restaurant economy (1 item)

GENERAL PLAN DESIGNATION

Residential 3.5 to 5 dwelling units per acre

CHARACTER OF SURROUNDING LAND USE

	<u>Zoning</u>	<u>Land Use</u>
On-site:	P-1	Vacant
North:	C-2	Restaurant/Parking lot
South:	R1-6	Single-family residential
East:	C-2	Multi-tenant office building
West:	R1-6	Single-family residential

DEPARTMENT REVIEW COMMENTS

Archaeology

Not archaeologically sensitive.

Aviation

No response.

Fire Prevention

Fire prevention does not anticipate any problems with this case.

But the site or/and building(s) shall comply with the Phoenix Fire Code.

Also, we do not know what the water supply (GPM and PSI) is at this site. Additional water supply may be required to meet the required fire flow per the Phoenix Fire Code.

Floodplain Management

We have determined that the project is not located in a Special Flood Hazard Area (SFHA) but is located in a Shaded Zone X, on panel 1745 L of the Flood Insurance Rate Maps (FIRM) dated April 07, 2017. Based on the project information provided, there are no Floodplain Management requirements to fulfill.

Light Rail

No response.

Parks and Recreation

No trail or trail easement comments.

Public Transit

No comments.

Street Transportation

No comments.

Pedestrian Safety Coordinator – Street Transportation Department, Traffic Services Division

No comments.

Water Services:

WSD has no stipulations for this modification. The proposed property has water and sewer that can potentially serve the development.

Standard Note Applies:

Please be advised that capacity is a dynamic condition that can change over time due to a variety of factors. It is the City's intent to provide water and sewer service. However, the requirements and assurances for water and sewer service are determined during the site plan application review. For any given property, water and sewer requirements may vary over time to be less or more restrictive depending on the status of the City's water and sewer infrastructure.

EXISTING WATER

Water mains: 6-inch ACP within Mariposa Street.

Services: No services

EXISTING SEWER

Sewer mains: 8-inch VCP within the alley on the north side of the property.

Services: City map shows No services

REPAYMENT: N/A

VILLAGE PLANNING COMMITTEE RECOMMENDATION

The Camelback East Village Planning Committee opted not to hear this case.

PLANNING HEARING OFFICER FINDINGS

The Planning Hearing Officer's recommendation was based on the following findings:

1. The stipulated site plan depicted 24 parking spaces intended to provide additional parking for the Donovan's restaurant that existed on the adjacent commercial property to the north at the time of the original rezoning (see Finding #5). The proposed site plan depicts 22 parking spaces intended to service the proposed new restaurant on the same adjacent commercial property to the north. The proposed modification reduces the potential impact of parking activity on nearby residential properties.
2. The proposed site plan depicts a pedestrian pathway on the adjacent commercial property to the north running east-west from the west property line to the main building entrance on the proposed restaurant. A pedestrian pathway is recommended that connects the 22 parking spaces on the subject property of this request to that pathway to ensure safe pedestrian access from the parking area to the restaurant. This pathway is also stipulated in related case PHO-2-19—Z-41-94-6 (see Finding #5). A portion of this pathway may be partially located within the subject property of this case and therefore the stipulation is also recommended to be included.
3. Stipulation 2.e requires the landscaping palette to be similar to the landscaping on the adjacent commercial property to the east. Both the character and size of this landscaping area is significantly different than that of the subject parcel. The applicant has proposed new language requiring general conformance to a landscape plan that is consistent with the landscaping on the adjacent commercial property to the north that is proposed to include the restaurant that this parcel will provide parking for. It is desirable to have consistency between these parcels. Additionally, the proposed plant palette consists of dense foliage trees such as acacia and ficus that will contribute to screening appropriate for a parking lot adjacent to residential uses.
4. At the hearing, the applicant stated that they would like to withdraw their request

to modify Stipulation 4 regarding a minimum 10-foot landscape setback along the west property line. The enhanced setback and tree caliper sizes required by this stipulation are appropriate for a property line that is shared with an existing single-family home. The stipulation is recommended to remain with minor revisions to update it to current standard language format.

5. Adjacent to the north is C-2 zoned commercial property which was rezoned in case no. Z-41-94-6. This property was originally rezoned to allow a restaurant which was developed and has since closed. The subject property is currently proposed to redevelop with a newer, smaller restaurant. Modifications to the stipulations in this case are proposed in case no. PHO-2-19—Z-41-94-6 which was also heard on this agenda.

PLANNING HEARING OFFICER RECOMMENDED STIPULATIONS

1.	That The development shall be in general conformance with the site plan date stamped FEBRUARY 11, 2020 March 11, 2010 , and the landscape plan date stamped FEBRUARY 11, 2020 April 8, 2010 , with specific regard to the south and west landscape setbacks, as approved or modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department.	
	A.	THE DEVELOPER SHALL PROVIDE AN ENHANCED PEDESTRIAN CONNECTION FROM THE PARKING LOT TO THE PRIMARY PEDESTRIAN PATHWAY LEADING TO THE BUILDING ENTRANCE ON THE ADJACENT COMMERCIAL ZONED PROPERTY TO THE NORTH.
2.	That The development shall provide a minimum 25-foot landscape setback along Mariposa Street, as approved or modified by the PLANNING AND Development Services Department and as follows:	
	a.	Trees shall be placed 20 feet on center or in equivalent groupings,
	b.	Minimum 3-inch caliper (75 percent of required trees),
	c.	Minimum 4-inch caliper (25 percent of required trees),
	d.	Minimum five 5-gallon shrubs per tree.
	e.	Landscaping shall be of a similar palette to that of the adjacent commercial property to the southeast.
3.	That The perimeter wall shall be finished face and painted, as approved by the PLANNING AND Development Services Department.	

4.	That The development shall provide a minimum landscape setback of 10 feet along the west property line of the parking area, planted with minimum 3-inch caliper trees, SPACED 20 feet on center OR IN EQUIVALENT GROUPINGS, as approved by the PLANNING AND Development Services Department.
5.	That a No pedestrian access shall be provided to Mariposa Street, as approved by the PLANNING AND Development Services Department.
6.	That The existing 6-foot wall setback 25 feet from the southern property line shall remain, as approved by the PLANNING AND Development Services Department.
7.	That a A 1-foot vehicular non-access easement (VNAE) shall be recorded along the west, south and eastern property lines prior to final site plan approval, as approved by the PLANNING AND Development Services Department.

PLANNING HEARING OFFICER RECOMMENDATION

At the February 19, 2020 hearing, the Planning Hearing Officer took this case under advisement. On February 28, 2020, the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications.

ATTACHMENTS

- A – Appeal Documents (2 pages)
- B – Applicant's Narrative (6 pages)
- C – Aerial Map (1 page)
- D – Zoning Map (1 page)
- E – Ordinance G-5523 for Rezoning Case No. Z-4-10-6 (6 pages)
- F – Sketch Map from Rezoning Case No. Z-4-10-6 (1 page)
- G – Proposed Site Plan date stamped February 11, 2020 (1 page)
- H – Proposed Landscape Plan date stamped February 11, 2020 (1 page)
- I – Stipulated Site Plan date stamped March 11, 2010 (1 page)
- J – Stipulated Landscape Plan date stamped April 8, 2010 (1 page)
- K – PHO Summary for Z-4-10-6 (PHO-1-19) (7 pages)
- L – Correspondence regarding Z-4-10-6 (PHO-1-19) (66 pages)
 - Opposition (45 pages)
 - Support (19 pages)

ATTACHMENT A

PLANNING HEARING OFFICER APPEAL I HEREBY REQUEST THAT THE PLANNING COMMISSION/CITY COUNCIL HOLD A PUBLIC HEARING ON:			
APPLICATION NO:	Z-4-10-6 (PHO-1-19)		
LOCATION:	Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road		
PHO HEARING DATE:	2/19/2020 (UA 2/28)	RECEIVED:	3/6/2020
APPEALED BY:	<input checked="" type="checkbox"/> Opposition	<input type="checkbox"/> Applicant	
APPEALED TO:	PLANNING COMMISSION	4/2/20	
		TENTATIVE DATE	
	CITY COUNCIL		
		TENTATIVE DATE	
NAME/ADDRESS/CITY/STATE/ZIP			PHONE #
Colleen Geretti 4822 North 31st Place Phoenix, AZ 85016			602-505-9777
RECEIPT NUMBER:			
REASON FOR REQUEST:			
This case is a companion to Z-41-94-6. The concern with this case is the proposed driveway. I would like both cases to remain concurrent.			
Taken By:	Adam Stranieri		

c: Ben Ernyei – Posting
 Benjamin Kim, IS
 PDD All

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CITY OF PHOENIX

MAR 06 2020

City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

**Planning & Development
Department**

2/19/20 - Z-4-10-6
Taken out from under

The **PLANNING HEARING OFFICER** agenda for advisement on 2/28/20 is attached.

The City Council May Ratify the Recommendation of the Planning Hearing Officer on April 15, 2020 Without Further Hearing Unless:

- **A REQUEST FOR A HEARING BY THE PLANNING COMMISSION** is filed by 5:00 p.m. on Friday, March 6, 2020. (There is a **\$630.00** fee for hearings requested by the applicant.)

Any member of the public may, within seven (7) days after the Planning Hearing Officer's action, request a hearing by the Planning Commission on any application. If you wish to request a hearing, fill out and sign the form below and return it to the Planning and Development Department by 5:00 p.m. on Friday, March 6, 2020.

APPEAL FORM

I HEREBY REQUEST THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING ON:

Z-4-10-6 (PHO-1-19)

Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road

APPLICATION NO.	LOCATION OF APPLICATION PROPERTY
<u>Colleen Garretti</u>	<input checked="" type="checkbox"/> OPPOSITION <input type="checkbox"/> APPLICANT
NAME (PLEASE PRINT)	
<u>4822 N. 31st Place</u>	
STREET ADDRESS	
<u>Phoenix, AZ 85016</u>	<u>602.505.9777</u>
CITY, STATE AND ZIP CODE	TELEPHONE NO

BY MY SIGNATURE BELOW, I ACKNOWLEDGE THE SCHEDULED HEARING DATE AS FOLLOWS:

2/19/20 - Z-4-10-6 Taken out from under advisement on 2/28/20	PHO HEARING TO <u>4-2-2020</u> PC HEARING
DATE	DATE

SIGNATURE: Colleen Garretti DATE: 3-6-2020

REASON FOR APPEAL: This case is a companion to Z-41-94-6 the concern w/ this case is the proposed driveway. I would like both cases to remain concurrent.

APPEALS MUST BE FILED IN PERSON AT THE 2ND FLOOR ZONING COUNTER, 200 W. WASHINGTON STREET, 602-262-7131, Option 6

PLANNER TAKING APPEAL: AS1

Copies to:

Case File

PHO Planner - Julianna Pierre

PHO Secretary - Stephanie Vasquez

ATTACHMENT B

Lewis Roca Rothgerber Christie LLP
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Heidi Short
Partner
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HSHORT@lrrc.com

December 16, 2019

Planning Hearing Officer
City of Phoenix
Planning and Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: PHO Narrative for Stipulation Modification in Zoning Case Nos. Z-41-94-6 and Z-4-10-6
Southeast Corner of 31st Street and Camelback Road

Dear Planning Hearing Officer:

Our law firm represents Hillstone Restaurant Group, Inc., ("Hillstone") the property owners of the approximately 2.254 gross acre subject site located at the southeast corner of 31st Street and Camelback Road (the "Site"). The purpose of this letter is to request PHO approval for modification of stipulations of approval included in two (2) zoning cases: Z-41-94-6 (a C-2 parcel currently improved with an existing restaurant that will be demolished and replaced with a new, much smaller restaurant) and Z-4-10-6 (an adjacent vacant P-1 parcel). This letter provides the City Staff and the Planning Hearing Officer with additional information in support of the requests.

Z-41-94-6 concerns an approximately 1.899 gross acre, C-2 zoned parcel currently improved with an approximately 10,899 square foot, 25.5-foot high restaurant that will be demolished and replaced with a much smaller restaurant (the "Restaurant Parcel"). Z-4-10-6 concerns a vacant approximately 0.355 gross acre, P-1 zoned parcel located south of, and adjacent to, the Restaurant Parcel (the "Parking Parcel") (collectively, the Restaurant Parcel and the Parking Parcel are referred to as the "Parcels"). The Parcels have been the subject of multiple zoning requests (some of which were withdrawn) that included several neighborhood issues and concerns. Hillstone was well aware of this history prior to purchasing the Parcels and met with the neighbors on several occasions both during their due diligence review for the purchase of the Parcels and prior to beginning their design work for the Parcels.

This request is the result of multiple meetings with the neighbors, extensive research related to the neighborhood and the surrounding area, meticulous site design and a detailed impact analysis on neighboring properties. It should first be noted that the existing nearly 11,000 square foot, 25.5-foot high restaurant will be demolished and replaced with a proposed restaurant that will be only 4,966 square feet in size and significantly lower in height (only 13'-0" high to the top of parapet and only 15'-8" high to the top of mechanical screen). Hillstone intends to give the proposed restaurant a distinctly residential, mid-century modern feel that is very much in keeping with the adjacent residential community.

Hillstone's thorough design analysis is not only focused on the restaurant building, but also the building location and the hardscape and landscape aspects of the Site which have been designed to enhance the guest experience even before the guest enters the Site. The building is intentionally located close to Camelback Road to provide maximum separation from the existing residential neighbors: the south wall of the proposed building will be over 65' from the south property line whereas the south wall of the existing building is only 27' feet from the south property line. The building is also designed to ensure visual interest from the corner of 31st Street and Camelback Road, with the display kitchen visible from the corner and restaurant activity visible along Camelback Road. Additionally, the building design incorporates awnings, trellises and lush landscaping visible from the Camelback Road frontage creating an inviting and vibrant streetscape that considers the natural environment but does not obscure the accentuated visual interest (the kitchen scene and the ability to see into the restaurant) even though the building maintains a low residential profile that might otherwise be overwhelmed by landscaping.

Once guests enter the Site, they are provided shade by the ample landscaping and are invited into the restaurant via a tree-lined alley at the center of the parking area ending in a water feature. Finally, the existing residential neighbors are shielded by double 6'-0" high walls that run along the southern property line of the Restaurant Parcel as well as the western property line of the Parking Parcel. The double walls will be sealed at the top to ensure there are no issues with debris that might be trapped between the walls. The Restaurant Parcel will include a row of Indian Laurel Fig trees along the south property line to further ensure screening and sound attenuation.

To facilitate the above-referenced improvements, we request the following stipulations be modified:

Z-41-94-6

Current Wording:

1. That development be in general conformance to the site plan dated April 12, 1994, as may be modified by the following stipulations, and by the Development Services Department through the Development Review process.

Proposed Wording:

1. That development be in general conformance to the site plan dated ~~April 12, 1994~~ [_____, 2019] and the landscape plan dated [_____, 2019], as may be modified by the following stipulations, and by the Planning and Development Services Department ~~through the Development Review process~~.

Rationale:

The site plan has been updated to significantly reduce the size of the existing restaurant and the applicant wishes to add a landscape plan to the stipulations of approval to address previous landscaping stipulations so that all landscaping will be addressed rather than just specific landscaping issues.

Current Wording:

2. That approval be conditioned on the development of a restaurant within 18 months of final City Council approval in accord with Section 506 B of the Zoning Ordinance.

Proposed Wording

2. DELETE

Rationale:

Zoning for this property has already vested with the development of the existing restaurant and most jurisdictions no longer use time stipulations.

Current Wording:

3. That zoning vest with final site plan approval by the Development Services Department.

Proposed Wording:

3. DELETE

Rationale:

Zoning for this property has already vested with the development of the existing restaurant.

Current Wording:

- 5 That the existing mature oleander hedge, located along the south boundary of the site be preserved as approved by the development Services Department.

Proposed Wording:

5. DELETE.

Rationale:

The applicant has stipulated to a specific site plan and landscape plan in stipulation No. 1. Additionally, the Oleander hedge was removed prior to Hillstone reviewing the Parcels for purchase.

Current Wording:

6. That only right turn delivery/service egress be allowed from the site to 31st Street, as approved by the Development Services Department, and that the rear one-way services driveway shall be appropriately signed with directional arrows and closed off at 5:00 pm. (or whatever other measures are necessary shall be taken to preclude any use of the driveway by restaurant patrons or deliveries to or from adjacent commercial property.

Proposed Wording:

6. That only right turn ~~delivery/service~~ egress be allowed from the site to 31st Street, as approved by the Planning and Development Services Department, and that the ~~rear one-way services~~ driveway shall be appropriately signed with directional arrows and closed off at 5:00 pm. ~~(or whatever other measures are necessary shall be taken to preclude any left turns or use of the driveway by restaurant patrons or deliveries to or from adjacent commercial property.~~

Rationale:

Proper site flow requires that the drive on 31st Street be used for right turns only. This stipulation was previously used to ensure patrons did not park in the residential neighborhood. This issue should be addressed by having significantly better parking ratios on the Parcels. There should be no benefit to making a left turn onto 31st street from the Parcels. Additionally, historic data has shown there has not been an issue with adjacent commercial traffic and no issues are anticipated.

Z-4-10-6

Current Wording:

1. That the development shall be in general conformance with the site plan date stamped March 11, 2010, and the landscape plan date stamped April 6, 2010, with specific regard to the south and west.

Proposed Wording:

1. That the development shall be in general conformance with the site plan date stamped ~~March 11, 2010~~ [_____, 2019,] and the landscape plan date stamped ~~April 6, 2010~~ [_____, 2019,] ~~with specific regard to the south and west.~~

Rationale:

The site plans have been updated to reflect the new restaurant design and new landscape design pursuant to extensive meetings and input from the adjacent neighbors.

Current Wording:

2. That the development shall provide a minimum 25-foot landscape setback along Mariposa Street, as approved or modified by the Development Services Department and as follows:
 - a. Trees shall be placed 20 feet on center or in equivalent groupings;
 - b. Minimum 3-inch caliper (75 percent of required trees),
 - c. Minimum 4-inch caliper (25 percent of required trees),
 - d. Minimum five 5-gallon shrubs per tree,
 - e. Landscaping shall be of a similar palette to that of the adjacent commercial property to the southeast.

Proposed Wording:

2. That the development shall provide a minimum 25-foot landscape setback along Mariposa Street, as approved or modified by the Planning and Development ~~Services~~ Department and as follows:
 - a. Trees shall be placed 20 feet on center or in equivalent groupings;
 - b. Minimum 3-inch caliper (75 percent of required trees),
 - c. Minimum 4-inch caliper (25 percent of required trees),
 - d. Minimum five 5-gallon shrubs per tree,
 - e. ~~Landscaping shall be of a similar palette to that of the adjacent commercial property to the southeast.~~

Rationale:

The adjacent property has an older site plan and landscape palette that does not work well with the site plan, building design or surroundings of the proposed improvements on the Parcels.

Current Wording:

4. That the development shall provide a minimum landscape setback of 10 feet along the west property line of the parking area, planted with minimum 3-inch caliper trees 20 feet on center, as approved by the Development Services Department.

Proposed Wording:

DELETE

Rationale:

The Parking Parcel has been designed with input from the neighbors to address the primary concerns of the neighbors. The adjacent residential parcel to the Parking Parcel has ample landscaping and the western wall of the Parking Parcel will be a double 6'-0" high wall. The existing wall will be supplemented with second 6'-0" high foot wall for sound attenuation. The primary concern of the neighbors is that the Parcels be over-parked to ensure there will be ample parking for the Parcels.

This request seeks to modify existing stipulations of approval to accommodate a significantly improved site plan and building design that not only considers neighborhood concerns and issues, but also embraces the neighborhood character through a mid-century modern design with a residential look, feel and scale and using building materials that are more consistent with what is seen in the neighborhood. Prior designs on the Parcels required stipulations of approval to mitigate the building and site plans that were not congruous with the neighborhood, were too large for the Parcels and did not have adequate parking and, thus, caused friction with the nearby residents. Hillstone looks forward to joining the neighborhood and adding to its charm and vibrancy.

Thank you for your time and consideration in this matter.

Sincerely,



Heidi Short
Lewis Roca Rothgerber Christie LLP

HS

ATTACHMENT C



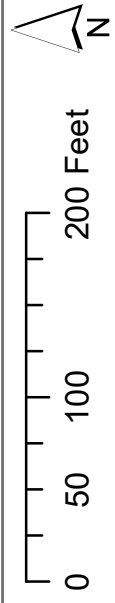
Maricopa County Assessor's Office

Property Location: Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road

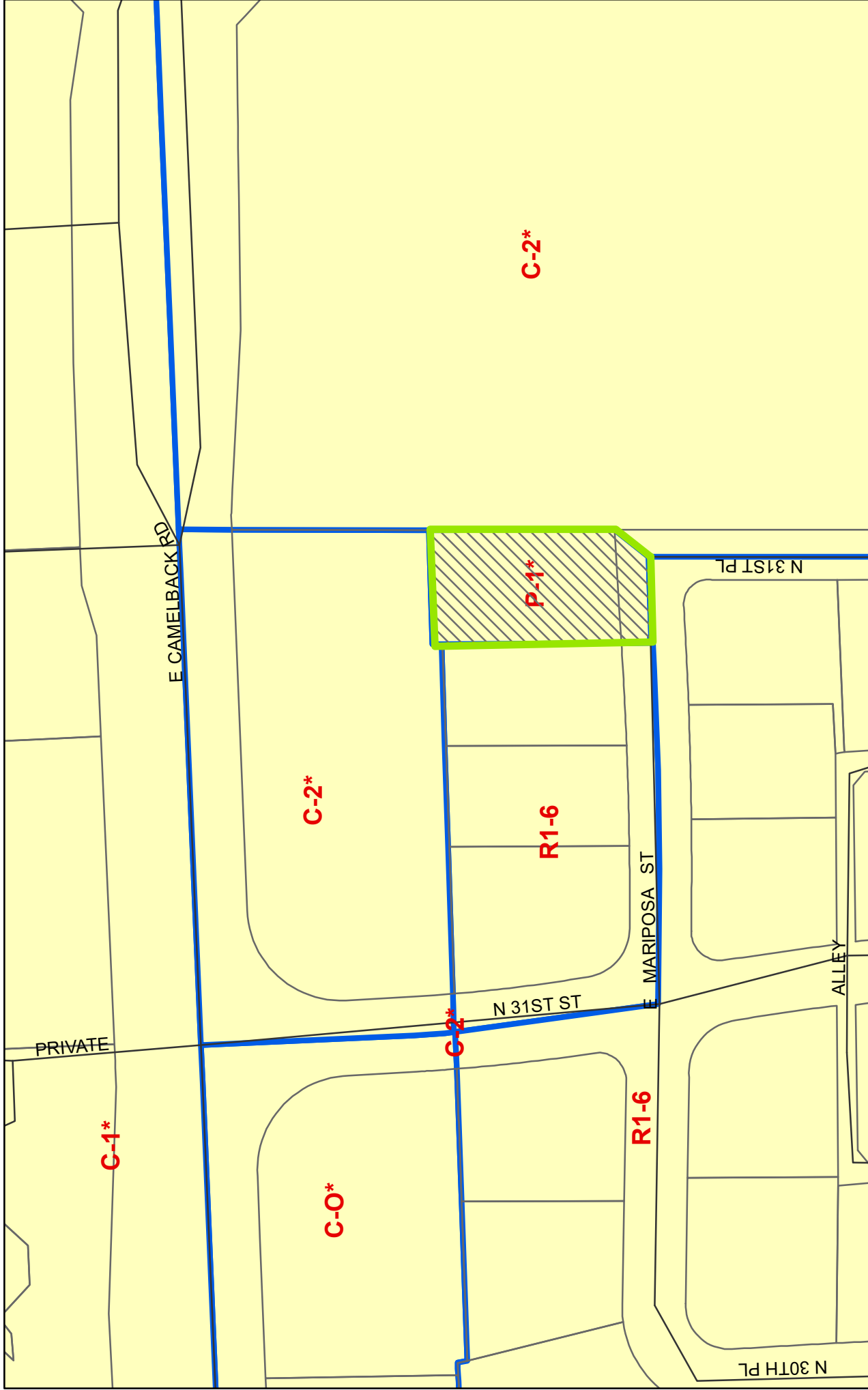
PHO-1-19-Z-4-10-6



Planning & Development Department



ATTACHMENT D



Property Location: Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road

PHO-1-19-Z-4-10-6

ATTACHMENT E

ORDINANCE G-5523

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-4-10-6) FROM R1-6 (SINGLE-FAMILY RESIDENCE) TO P-1 (PASSENGER AUTOMOBILE PARKING, LIMITED).

WHEREAS, on March 11, 2010, the City of Phoenix Planning Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Michael Curley with Earl, Curley & Lagarde, having authorization to represent the owner, Prime Land Assets of an approximately 0.36 acre property located approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road in a portion of Section 23, Township 2 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on May 12, 2010, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on July 7, 2010, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of an approximately 0.36 acre property located approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road in a portion of Section 23, Township 2 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "R1-6" (Single-Family Residence) to "P-1" (Passenger Automobile Parking, Limited) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2. The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-4-10-6, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. That the development shall be in general conformance with the site plan date stamped March 11, 2010, and the landscape plan date stamped April 8, 2010, with specific regard to the south and west

landscape setbacks, as approved or modified by the Development Services Department.

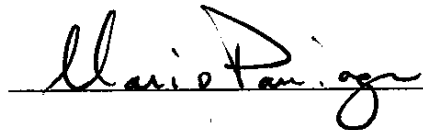
2. That the development shall provide a minimum 25-foot landscape setback along Mariposa Street, as approved or modified by the Development Services Department and as follows:
 - a. Trees shall be placed 20 feet on center or in equivalent groupings,
 - b. Minimum 3-inch caliper (75 percent of required trees),
 - c. Minimum 4-inch caliper (25 percent of required trees),
 - d. Minimum five 5-gallon shrubs per tree,
 - e. Landscaping shall be of a similar palette to that of the adjacent commercial property to the southeast.
3. That the perimeter wall shall be finished face and painted, as approved by the Development Services Department.
4. That the development shall provide a minimum landscape setback of 10 feet along the west property line of the parking area, planted with minimum 3-inch caliper trees 20 feet on center, as approved by the Development Services Department.
5. That no pedestrian access shall be provided to Mariposa Street, as approved by the Development Services Department.
6. That the existing 6-foot wall setback 25 feet from the southern property line shall remain, as approved by the Development Services Department.
7. That a 1-foot vehicular non-access easement (VNAE) shall be recorded along the west, south and eastern property lines prior to final site plan approval, as approved by the Development Services Department.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 7th day of July, 2010.



ACTING MAYOR

ATTEST:

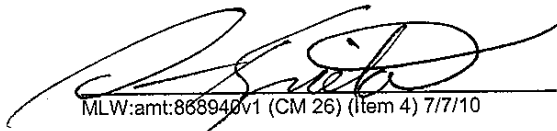
 City Clerk



APPROVED AS TO FORM:

 Acting City Attorney

REVIEWED BY:


ACTING
City Manager

MLW:amt:868940v1 (CM 26) (Item 4) 7/7/10

Attachments:

- A - Legal Description (1 Page)
- B - Ordinance Location Map (1 Page)

CITY CLERK DEPT.
2010 JUL -7 PM 12:21

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-4-10-8

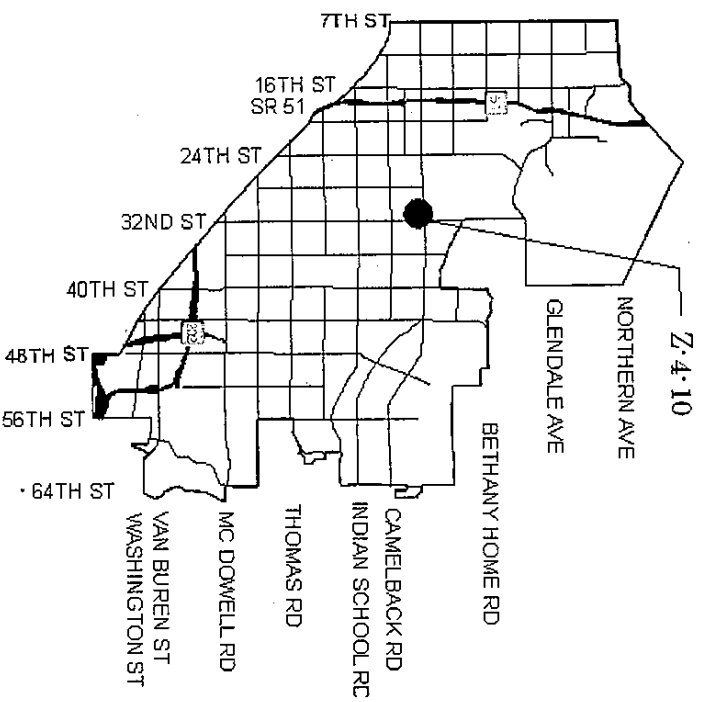
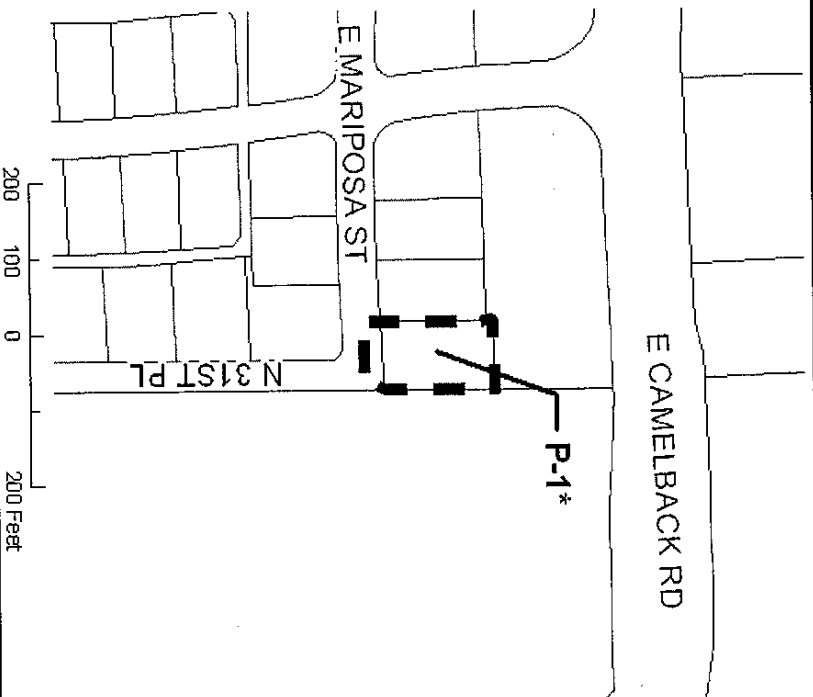
Lot 7, Brentwood Estates, according to Book 55 of Maps, Page 2, records of Maricopa County, Arizona.

ORDINANCE LOCATION MAP

ATTACHMENT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

Zoning Case Number: Z-4-10-6
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



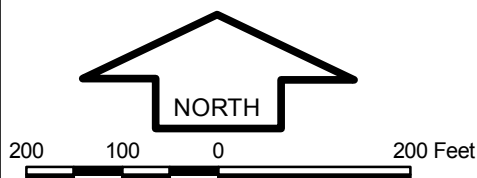
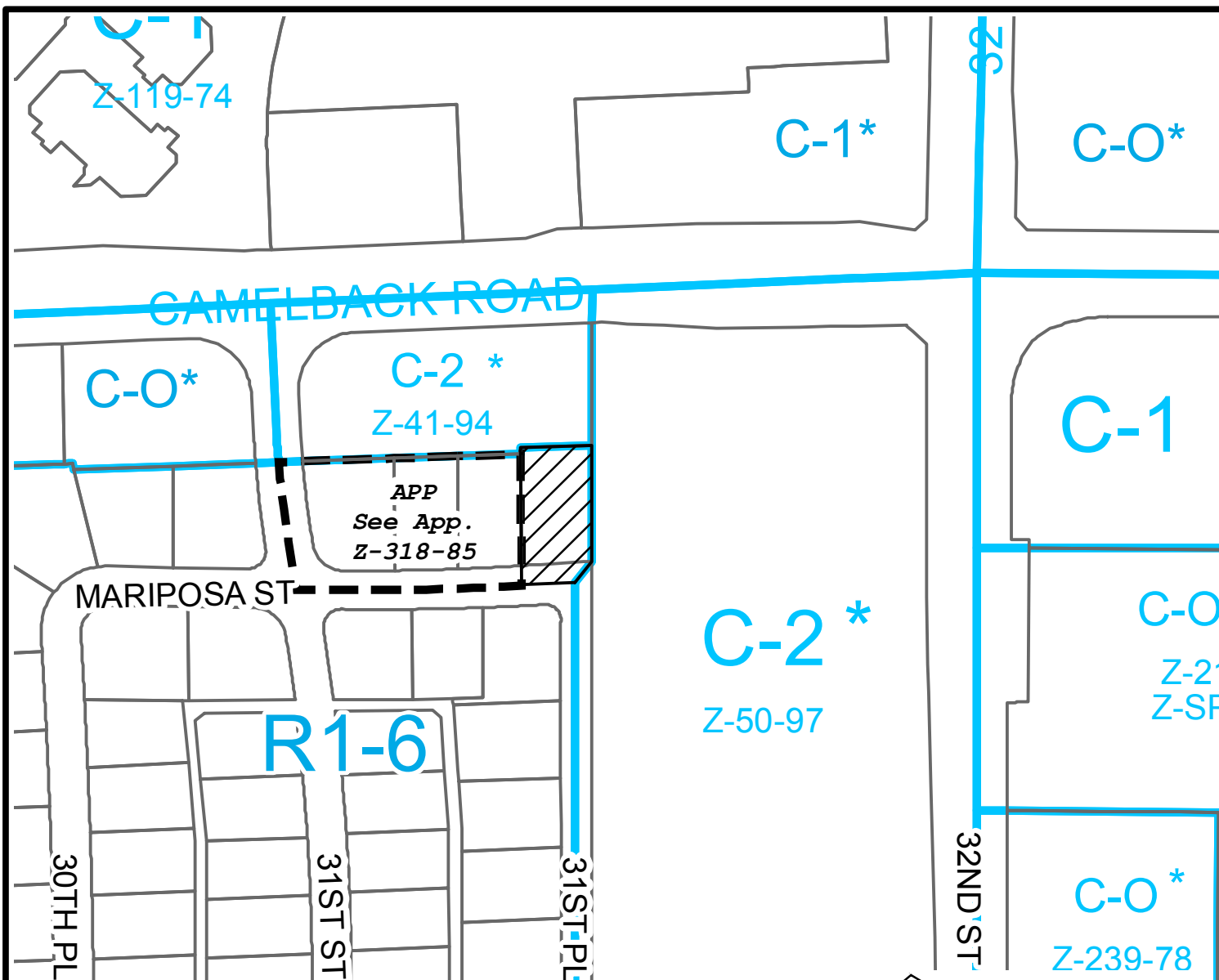
City of Phoenix
PLANNING DEPARTMENT



Drawn Date: 05/04/10

Map Document: N:\P\DF_Maps\Ordinance_Map\2010

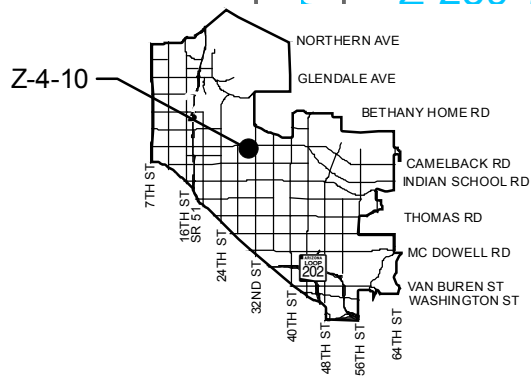
ATTACHMENT F



CITY OF PHOENIX PLANNING DEPARTMENT

CAMELBACK EAST VILLAGE

CITY COUNCIL DISTRICT: 6



APPLICANT'S NAME: Michael Curley		REQUESTED CHANGE: FROM: R1-6, (0.36 a. c.) TO: P-1, (0.36 a. c.)	
APPLICATION NO. Z-4-10	DATE: 03/18/10		
GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX. 0.36 Acres		REVISION DATES:	
		AERIAL PHOTO & QUARTER SEC. NO. Q18-34	ZONING MAP H-10
MULTIPLES PERMITTED R1-6 P-1		CONVENTIONAL OPTION 1 N/A	
		* UNITS P.R.D. OPTION 2 N/A	

* Maximum Units Allowed with P.R.D. Bonus

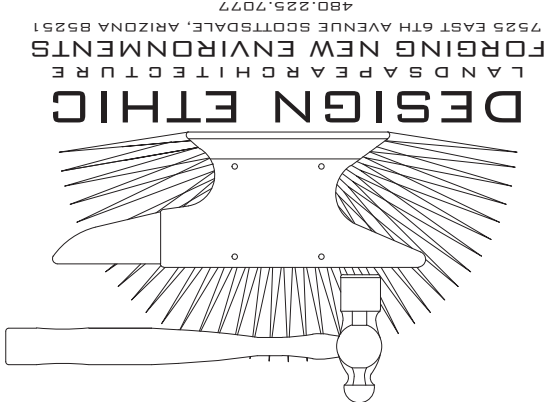
ATTACHMENT G

ATTACHMENT H

GENERAL:
all designs, ideas, arrangements and plans indicated by these drawings and specifications shall be the property of the designer and shall not be used on any other work without the written permission from the OWNER.

SEAL:
I, the undersigned, a duly licensed professional engineer, hereby certify that I am the author of the designs and plans shown on these drawings and that I am a duly licensed professional engineer in the State of Arizona.

LANDSCAPE ARCHITECT
of record:



PROJECT:

RESTAURANT concept
3101 east camelback road
Phoenix, Arizona 85016

REVISION:

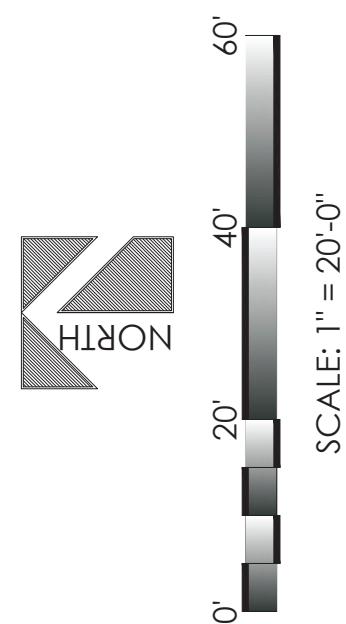
rev	date	remarks
REV 1	12/06/2019	PHO SUBMISSION
REV 2	02/04/2020	SITE PLAN REVISIONS

HILLSTONE
RESTAURANT GROUP
11111 N. 19TH AVE., SUITE 100
PHOENIX, ARIZONA 85021
P 310 385 0340
F 310 385 7119

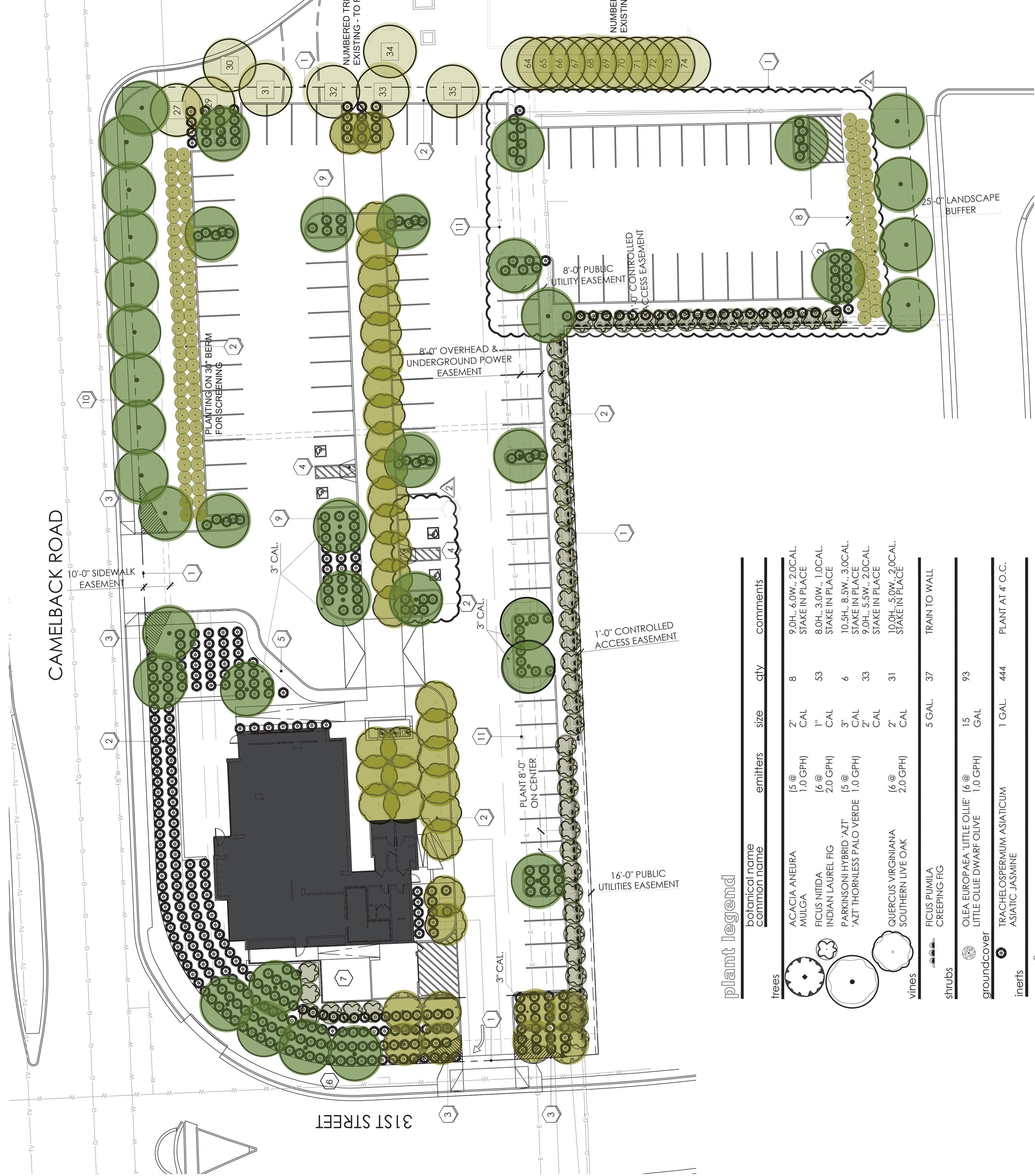
program: B. PAUL
designed by: B. PAUL
date: 19-062

sheet: L.02 of L.02
2 OF 2

- planting key notes
- 1 PROPERTY LINE / RIGHT OF WAY LINE
 - 2 CALIFORNIA GOLD DECOMPOSED GRANITE IN ALL PLANTING AREAS
 - 3 SITE VISIBILITY TRIANGLE, MAXIMUM MATURE PLANT MATERIAL HEIGHT IN THE SIGHT VISIBILITY TRIANGLES 12' 24" INCHES
 - 4 ACCESSIBLE RAMP, SEE CIVIL ENG. PLANS.
 - 5 5'-0" SIDEWALK WITH MAX SLOPE OF 1:20.
 - 6 FIRE HYDRANT -3'-0" CLEAR OF ALL PLANT MATERIAL
 - 7 FIRE LINE BACKFLOW PREVENTOR - SCREEN, MAINTAIN 3' ACCESS & CLEARANCE PER MAG STANDARD DETAIL 362.
 - 8 6'-0" CMU WALL, SEE SITE PLANS.
 - 9 CURB, SEE CIVIL ENG. PLANS.
 - 10 EXISTING IRRIGATION LINES AND EASEMENTS, NO TREES IN THIS AREA
 - 11 OVER HEAD ELECTRIC LINE(O.H.E.), TO BE BURIED UNDERGROUND



CITY OF PHOENIX
FEB 11 2020
Planning & Development
Department



plant legend

botanical name common name	emitters	size	qty	comments
trees				
ACACIA ANEURA MULGA	(5 @ 1.0 GPH)	2" CAL	8	9.0H., 6.0W., 2.0CAL. STAKE IN PLACE
FIGUS NITIDA INDIAN LAUREL FIG	(6 @ 2.0 GPH)	1" CAL	53	8.0H., 3.0W., 1.0CAL. STAKE IN PLACE
PARKINSONI HYBRID 'AZT' 'AZT' THORNLESS PALO VERDE	(5 @ 1.0 GPH)	3" CAL	6	10.5H., 8.5W., 3.0CAL. STAKE IN PLACE
QUERCUS VIRGINIANA SOUTHERN LIVE OAK	(6 @ 2.0 GPH)	2" CAL	33	9.0H., 5.5W., 2.0CAL. STAKE IN PLACE
+			31	10.0H., 5.0W., 2.0CAL. STAKE IN PLACE
vines				
FIGUS PUMILA CREEPING FIG		5 GAL.	37	TRAIN TO WALL
shrubs				
OLEA EUROPAEA 'LITTLE OLLIE' LITTLE OLLIE DWARF OLIVE	(6 @ 1.0 GPH)	15 GAL	93	
groundcover				
TRACHELOSPERMUM ASIATICUM ASIATIC JASMINE		1 GAL.	444	PLANT AT 4' O.C.
inerts				
DECOMPOSED GRANITE CALIFORNIA GOLD		1/4" MINUS	22,059 SF	2" MINIMUM IN ALL PLANTERS

ATTACHMENT I

ATTACHMENT J

ATTACHMENT K

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

February 19, 2020

ITEM 3

DISTRICT 6

SUBJECT:

Application #: Z-4-10-6 (PHO-1-19)
Zoning: P-1
Location: Approximately 300 feet east and 160 feet south of the southeast corner of 31st Street and Camelback Road
Acreage: 0.36
Request: 1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped March 11, 2010 and the landscape plan date stamped April 8, 2010.
2) Deletion of Stipulation 2.e regarding landscape palette.
3) Deletion of Stipulation 4 regarding a minimum 10-foot landscape setback along the west property line.
4) Technical corrections to Stipulations 2, 3, 5, 6, and 7.
Applicant: Rakesh Patel, Hillstone Restaurant Group
Owner: Hillstone Restaurant Group, Inc.
Representative: Heidi Short, Lewis Roca Rothgerber Christie

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement. On February, 28, 2020, the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications.

Village Planning Committee (VPC) Recommendation: The Camelback East Village Planning Committee opted not to hear this case.

DISCUSSION

Bill Lally, representative with Tiffany & Bosco, stated that the C-2 site (Z-41-94-6) and P-1 site (Z-4-10-6) are a combined redevelopment for a new Hillstone Restaurant. He gave background about the Hillstone Restaurant Group, including their mission and values. He stated that the existing Donovan's Restaurant is approximately 11,000 square feet and closer to the residential homes to the south than the proposed new restaurant building. He stated that the proposed restaurant will be half the footprint of Donovan's and will provide two and a half times the amount of required parking. He added that the proposed restaurant will be more residential in scale and built closer to the intersection at 31st Street and Camelback Road. He added that the power poles on

the site will also be buried. Adam Stranieri asked for clarification regarding the location of the power poles. Mr. Lally clarified that the power poles run east to west along the southern boundary of the site. He added that this will not only benefit Hillstone, but also beautify the neighborhood. He stated that modifications and deletions are necessary to accommodate the new proposed restaurant.

Mr. Stranieri asked for clarification regarding the height depicted on the stipulated site plan for the existing Donovan's Restaurant, specifically the two-story element at the southwest corner. Rakesh Patel, applicant with Hillstone Restaurant Group, clarified that the second floor was for office and storage space. He added that the space on the second floor was not for customer seating.

Mr. Lally stated that an updated site plan and landscape plan were submitted to the Planning Hearing Officer on February 11, 2020. He added that both plans depicted a 10-foot landscape setback along the west property line of the P-1 zoned parking area. He clarified that the applicant's original request asked for deletion of Stipulation 4, regarding a minimum 10-foot landscape setback along the west property line, but are now requesting to withdraw their request for deletion of this stipulation.

Mr. Lally stated that he is aware of neighborhood concerns about Stipulation 6, regarding egress to 31st Street and signage and hours of access for a service driveway. He stated that the proposed site plan has been modified to create a circulation pattern that does not encourage traffic to move south into the neighborhood. He stated that it is logical for patrons of the restaurant to ingress and egress directly from Camelback Road and that the proposed driveway was unlikely to be used for access to the neighborhood to the south or to bypass Camelback Road. Mr. Stranieri asked for clarification regarding proposed driveway movements on 31st Street. He noted that the applicant's conceptual site plan and request language address right-turn egress from the site to 31st Street only, while the applicant's presentation suggests that right and left-turn ingress is proposed. Mr. Lally stated that they are proposing multiple routes to and from the site including left and right-turn ingress and right-turn egress on 31st Street.

Mr. Lally stated that there was extensive outreach to the neighborhood. He stated that over the past nine months there were two mailers, ten meetings, twelve calls and/or text messages, and fifty emails.

Colleen Geretti, President of Brentwood Estates Home Owners Association and resident of the neighborhood, stated that the modification of Stipulation 6 is inappropriate and would erode the preservation of the residential neighborhood to the south. She stated that she submitted a letter discussing Stipulation 6 and opposition letters from 80% of the homeowners in the Brentwood Estates subdivision, adjacent to the subject property to the south. She stated that residents are excited at the prospect of having Hillstone as a neighbor but had serious concerns regarding the driveway on 31st Street. She stated that the existing stipulated one-way service driveway posed ongoing issues for the neighborhood while Donovan's Restaurant was in operation. She explained that employees, customers, and vendors used the neighborhood to enter the restaurant's parking area, drop off patrons, and/or park. She shared a graphic with the applicant and Planning Hearing Officer depicting two proposed alternative access

options: a shared entry with the commercial office building to the east or a second driveway on Camelback Road.

Mr. Stranieri asked if Ms. Geretti could provide any additional information regarding the driveway on the east property line depicted on the stipulated site plan. Ms. Geretti stated that the driveway does exist, and Donovan's Restaurant used the driveway to access the parking garage at 3131 East Camelback for overflow parking and valet. Ms. Geretti added that the history of cross-access with this site is why a shared entry on the east side of the site would make sense as an additional option for the proposed development. Bryce Johnson, owner with Hillstone Restaurant Group, responded that there is an existing driveway on the east, but that there was no cross-access agreement. He stated that he spoke with the owners of the office building to the east and they rejected the proposal to create any new cross-access driveways and that they are now forced to close the existing driveway on the east. He added that City staff stated that they would not allow the developer to build a second driveway on Camelback Road.

Angelo Sbrocca, a resident of the neighborhood, stated that Hillstone would be an asset to the neighborhood, but objected to access on 31st Street. He stated that while the Donovan's was in operation residents would often see produce trucks and rideshare vehicles utilizing the driveway. He stated that he would encourage the ownership to continue working with neighboring office buildings regarding cross-access.

John Kalil, a resident of the neighborhood, stated that the location is a great site for a restaurant, but was faced with commercial traffic issues while Donovan's was in operation. He recognized that Hillstone is proposing a different size and style of restaurant but feels that signage will not be effective to deter patron traffic on 31st Street.

Jessica Wilson, a resident of the neighborhood, stated that she is excited to have Hillstone in the neighborhood, but has concerns with the driveway on 31st Street. She stated that people will use the driveway on 31st Street and drive through the neighborhood to avoid congestion on Camelback Road. She asked the representatives and ownership present why they needed the driveway on 31st Street and if the 94 parking spaces provided will be adequate.

Melissa Glissmeyer, a resident of the neighborhood, stated that the landscaping and restaurant concept will benefit the neighborhood. She added that the existing P-1 lot is vacant and an eyesore, so she is thankful that Hillstone decided to extend their parking into that site. She stated that she understood the restaurant would need a secondary entrance for fire safety reasons. She stated that she bought her home in the neighborhood last year and as far as she knew, Brentwood Estates did not have a home owners association.

Jay Swart, Chair of the Camelback East Village Planning Committee, stated that it is important to embrace economically viable development while also protecting neighborhoods. He stated that the Hillstone Restaurant Group is proposing a restaurant that is conscious of the surrounding community. He stated that the median at 31st

Street may restrict people from turning onto that street. He noted that it may be beneficial for the restaurant to provide brochures that discourage patrons from using the driveway on 31st Street.

John Fagnani, a resident of the neighborhood, stated that traffic will utilize the driveway on 31st Street. He added that there will be congestion, despite the median, as people wait to turn left onto Camelback Road from 31st Street. He stated that he is excited for the restaurant but noted that traffic will negatively affect the neighborhood.

Josh Richer, a resident of the neighborhood, stated that it will be natural for drivers to use the neighborhood as a shortcut to 32nd Street.

Mr. Lally stated that he utilized Google Maps to determine the fastest route to the restaurant, and that the suggested route was always via Camelback Road. He added that the restaurant and its traffic generation will be vastly different from Donovan's because they are significantly decreasing the restaurant size with 24 tables and 24 seats at the bar. Mr. Stranieri clarified that neither seating nor tables are the metric used to determine the parking requirement. He added that required parking for restaurants is determined by square footage of dining area. He stated that based on the size of the proposed restaurant, there would be 38 parking spaces required.

Mr. Lally stated that he believed people will use the driveway on 31st Street to go north to Camelback Road. He stated that the road should not be restricted because the dynamic between the restaurant and adjacent properties is not unique. He added that commercial and residential uses interface along Camelback Road via collector streets and are not restricted anywhere else. Mr. Stranieri asked for clarification regarding why staff had suggested a second driveway on Camelback Road was not possible. Mr. Lally stated that there was a spacing issue created by a flood irrigation line.

Mr. Stranieri asked for clarification regarding the applicant's submittal for a variance regarding a reduction in the building setback adjacent to Camelback Road. He asked if there would be outdoor dining, alcohol, or dancing, or recreation within the outdoor space. Mr. Lally stated that there would not be any outdoor uses in that space.

Mr. Stranieri stated that other than the remaining questions regarding the proposed drive-through, he saw no major issues with the proposed site plan. He stated that it was uncommon to see a modification to reduce intensity and scale on a property adjacent to a major arterial street.

Mr. Stranieri stated that the deletion of Stipulation 2, regarding conditional approval, and Stipulation 3, regarding zoning being vested with final site plan approval, could be accurately characterized as an administrative action. He added that the conditions of the stipulations were met with the development of Donovan's Restaurant and adoption of the Supplementary Zoning Map, which vested the C-2 zoning.

Mr. Stranieri stated that Stipulation 5, regarding the existing oleander hedge along the south boundary of the site, would not be enforceable since the hedge no longer exists. He asked if the applicant intends to establish general conformance to a landscape plan.

Mr. Lally stated that was correct. He added that they wanted to conform to landscaping that was agreed upon with the neighborhood. Mr. Stranieri stated that he had concerns about the landscape plan because it only depicted one-inch caliper trees, which do not meet Ordinance requirements. He added that this will have to be enhanced to include two-inch caliper trees during the landscape review process to meet the Ordinance standard of 60% one-inch and 40% two-inch caliper trees.

Mr. Stranieri stated that the Street Transportation Department submitted recommendations regarding a minimum 25-foot wide driveway along 31st Street, enhanced pedestrian connection from the southern parking lot to the building entrance, and a 30-foot wide driveway along Camelback Road.

Mr. Stranieri stated that he received 46 pieces of correspondence within the 24 hours prior to the hearing, 37 of which were received after close of business the day before. He stated that he would like more time to review the material and review the ingress and egress concerns raised by the speakers with a traffic reviewer. He stated that he also wanted to speak with the Street Transportation Department regarding any traffic calming options regarding the proposed driveway on 31st Street. Because of these reasons, the PHO stated that he would take Z-41-94-6 (PHO-2-19) under advisement.

Regarding Z-4-10-6 (PHO-1-19), Mr. Stranieri stated that he had no issues with the site plan or landscape plan. He stated that he was inclined to recommend approval of the deletion of Stipulation 2.e, regarding the landscape palette, because the palette of the adjacent office building is not appropriate for the site. He stated that he was inclined to recommend denial as filed of the deletion of Stipulation 4 since the applicant intends to retain the stipulation.

Mr. Stranieri asked if the applicant would prefer both cases to be taken under advisement. Mr. Lally stated that he wanted to keep the cases together. For this reason, the Planning Hearing Officer stated that he would take Z-4-10-6 (PHO-1-19) under advisement as well.

FINDINGS

- 1) The stipulated site plan depicted 24 parking spaces intended to provide additional parking for the Donovan's restaurant that existed on the adjacent commercial property to the north at the time of the original rezoning (see Finding #5). The proposed site plan depicts 22 parking spaces intended to service the proposed new restaurant on the same adjacent commercial property to the north. The proposed modification reduces the potential impact of parking activity on nearby residential properties.
- 2) The proposed site plan depicts a pedestrian pathway on the adjacent commercial property to the north running east-west from the west property line to the main building entrance on the proposed restaurant. A pedestrian pathway is recommended that connects the 22 parking spaces on the subject property of this request to that pathway to ensure safe pedestrian access from the parking area to the restaurant. This pathway is also stipulated in related case PHO-2-

19—Z-41-94-6 (see Finding #5). A portion of this pathway may be partially located within the subject property of this case and therefore the stipulation is also recommended to be included.

- 3) Stipulation 2.e requires the landscaping palette to be similar to the landscaping on the adjacent commercial property to the east. Both the character and size of this landscaping area is significantly different than that of the subject parcel. The applicant has proposed new language requiring general conformance to a landscape plan that is consistent with the landscaping on the adjacent commercial property to the north that is proposed to include the restaurant that this parcel will provide parking for. It is desirable to have consistency between these parcels. Additionally, the proposed plant palette consists of dense foliage trees such as acacia and ficus that will contribute to screening appropriate for a parking lot adjacent to residential uses.
- 4) At the hearing, the applicant stated that they would like to withdraw their request to modify Stipulation 4 regarding a minimum 10-foot landscape setback along the west property line. The enhanced setback and tree caliper sizes required by this stipulation are appropriate for a property line that is shared with an existing single-family home. The stipulation is recommended to remain with minor revisions to update it to current standard language format.
- 5) Adjacent to the north is C-2 zoned commercial property which was rezoned in case no. Z-41-94-6. This property was originally rezoned to allow a restaurant which was developed and has since closed. The subject property is currently proposed to redevelop with a newer, smaller restaurant. Modifications to the stipulations in this case are proposed in case no. PHO-2-19—Z-41-94-6 which was also heard on this agenda.

DECISION: The Planning Hearing Officer took this case under advisement. On February, 28, 2020, the Planning Hearing Officer took this case out from under advisement and recommended denial as filed and approval with modifications.

STIPULATIONS

1.	That the development shall be in general conformance with the site plan date stamped FEBRUARY 11, 2020 March 11, 2010 , and the landscape plan date stamped FEBRUARY 11, 2020 April 8, 2010 , with specific regard to the south and west landscape setbacks, as approved or modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department.	
	A.	THE DEVELOPER SHALL PROVIDE AN ENHANCED PEDESTRIAN CONNECTION FROM THE PARKING LOT TO THE PRIMARY PEDESTRIAN PATHWAY LEADING TO THE BUILDING ENTRANCE ON THE ADJACENT COMMERCIAL ZONED PROPERTY TO THE NORTH.

2.	That The development shall provide a minimum 25-foot landscape setback along Mariposa Street, as approved or modified by the PLANNING AND Development Services Department and as follows:
a.	Trees shall be placed 20 feet on center or in equivalent groupings,
b.	Minimum 3-inch caliper (75 percent of required trees),
c.	Minimum 4-inch caliper (25 percent of required trees),
d.	Minimum five 5-gallon shrubs per tree.
e.	Landscaping shall be of a similar palette to that of the adjacent commercial property to the southeast.
3.	That The perimeter wall shall be finished face and painted, as approved by the PLANNING AND Development Services Department.
4.	That The development shall provide a minimum landscape setback of 10 feet along the west property line of the parking area, planted with minimum 3-inch caliper trees, SPACED 20 feet on center OR IN EQUIVALENT GROUPINGS, as approved by the PLANNING AND Development Services Department.
5.	That No pedestrian access shall be provided to Mariposa Street, as approved by the PLANNING AND Development Services Department.
6.	That The existing 6-foot wall setback 25 feet from the southern property line shall remain, as approved by the PLANNING AND Development Services Department.
7.	That A 1-foot vehicular non-access easement (VNAE) shall be recorded along the west, south and eastern property lines prior to final site plan approval, as approved by the PLANNING AND Development Services Department.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotope or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.