

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer
 Julianna Pierre, Planner I, Assisting

February 17, 2021

ITEM NO: 1	
	DISTRICT 2
SUBJECT:	
Application #:	PHO-2-20--Z-18-15-2
Zoning:	CP/GCP DVAO
Location:	Northeast corner of 22nd Street and Quail Avenue
Acreage:	5.26
Request:	1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped May 29, 2018. 2) Modification of Stipulation 2 regarding general conformance with the landscape plan and elevations date stamped May 29, 2018. 3) Deletion of Stipulation 3 restricting the driveway along 22nd Street to right-in ingress and left-out egress.
Applicant:	Garrett Real Estate Development, LLC
Owner:	Quail Equities, LLC
Representative:	Richard Starr, Garrett Real Estate

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approval with modifications.

Village Planning Committee (VPC) Recommendation: The Paradise Valley Village Planning Committee heard this case on February 1, 2021 and recommended approval with a modification and an additional stipulation by a vote of 17-0.

DISCUSSION

Richard Starr, representative with Garret Real Estate Development, LLC, provided an overview of the site. He stated that the request was to modify Stipulations 1 and 2 and to delete Stipulation 3. He stated that the proposed development is a mini-warehouse with outdoor recreational vehicle (RV) and boat storage. He added that the outdoor storage uses were approved through the use permit process on January 28, 2021. The proposed development consists of a two-story, 50,000 square foot building with 84 RV/boat storage

spaces, a dump station, wash bay, and electric charging station located behind a gate. He stated that he is aware of the required half-street improvements on both Quail Avenue and 22nd Street.

Spencer Freeman, a member of the public expressing a neutral position, stated that he owns the property adjacent to the site. He indicated that he spoke with Mr. Starr about damage to his chain link fence due to prior development in the area. Adam Stranieri verified the location of Mr. Freeman's property and determined that the fencing issue was offsite and not within the scope of the current request. Mr. Starr agreed to follow up with Mr. Freeman outside of the hearing.

Suzanne Higgins, a member of the public speaking in opposition to the request, stated that the original intent of Stipulation 3 was to mitigate excessive commercial traffic from the site into the surrounding residential areas. She also requested that the dumpster be moved away from the commercial site's north property line because her residential property is directly adjacent.

Mr. Stranieri asked Mr. Starr if he was aware of any plans for the parcel to the northeast of the site. Mr. Starr indicated that the parcel has different ownership and he did not know the proposed use.

Mr. Stranieri stated that Stipulation 1, regarding general conformance to the stipulated site plan, was originally for an industrial warehouse use. He added that the biggest change in the proposed site plan was the building footprint and proposed use. He stated that he did not have any issues modifying the stipulation to accommodate the new proposed site plan but had concerns regarding the location of the trash enclosure. At their February 1st meeting, the Paradise Valley Village Planning Committee recommended an additional stipulation for the dumpster to be relocated to the southern property line. Mr. Stranieri noted that the recommendation does not propose an ideal location considering the trash enclosure would be directly adjacent to public right-of way. He proposed an additional stipulation requiring trash enclosures be located a minimum of 65 feet from a residential zoning line. Mr. Starr stated that he had no concerns with the additional stipulation.

Mr. Stranieri stated that he had no concerns modifying Stipulation 2, regarding general conformance with the landscape plan and elevations date stamped May 29, 2018, to accommodate the proposed elevations. He stated that the stipulated landscape plan depicted enhanced features, while the proposed landscape plan is consistent with current Zoning Ordinance standards. He stated that he was inclined to delete general conformance to the landscape plan because the proposed landscape plan does not depict any significant enhancements and there are additional landscape requirements for the use, per Section 626.F.2.z of the Zoning Ordinance.

Mr. Stranieri stated that the applicant was requesting to delete Stipulation 3, restricting the driveway along 22nd Street to right-in ingress and left-out egress. He added that the intent of the stipulation was to mitigate commercial traffic from the site to the surrounding residential areas. He noted that the General Plan Land Use Map designates the surrounding area as Industrial, but the stipulation has been in place since the original rezoning case and the surrounding conditions have not changed since then. He stated that he was inclined to retain Stipulation 3 because of the lack of change in surrounding land uses, inconsistent street dedications, and removal of the adjacent northern parcel from the development site.

FINDINGS

- 1) The stipulated site plan depicted warehouse and office suites in five approximately 10,000 square foot buildings on the subject property and on one additional parcel north of the northeast corner of the site (fronting Lone Cactus Drive). The site plan included four driveways on Quail Avenue and one each on 22nd Street and Lone Cactus Drive.

The proposed conceptual site plan depicts a 50,000 square foot, 2-story self-service storage warehouse to be constructed on only the southern parcels fronting Quail Avenue. No connectivity is depicted to the parcel fronting Lone Cactus Drive to the northeast. The building is located on the western portion of the parcel with drive-up units along the north elevation and an internal loading area on the east elevation. The front office portion is at the southwest corner of the building and is oriented towards the intersection of 22nd Street and Quail Avenue. Approximately 84 spaces are designated on the eastern half of the parcel for outdoor RV storage. The outdoor RV storage is subject to approval of a use permit and other conditions in Ordinance Section 626.F.2.z. A use permit was approved, subject to stipulations, in Zoning Adjustment Case No. ZA-727-20-2. The proposal is compatible with other commercial, industrial, and Commerce Park developments in the surrounding area. General conformance to the site plan is recommended.

- 2) The proposed site plan depicts the trash bin along the north property line adjacent to a single-family home. The Paradise Valley Village Planning Committee recommended an additional stipulation requiring the trash bin be moved to the south property line along Quail Avenue. It is not recommended to stipulate that the bin be located within a required landscape setback along public right-of-way. Therefore, an additional stipulation is recommended to require that the trash bin be located a minimum of 65 feet from any residential district zoning line. 65 feet is the approximate distance between the north property line and the front façade of the drive-up storage units. This proposal will allow the applicant

flexibility to work with staff in determining a final location during plan review.

- 3) The stipulated landscape plan depicted enhanced landscape setbacks along the west and south perimeter property lines which contained large retention basins. The proposed conceptual landscape plan depicts a more conventional layout of landscape setbacks consistent with Ordinance standards. This change is at least partially driven by the increased building footprint and the vehicular circulation pattern around the building. However, with the change of use to a self-service storage warehouse with outdoor RV storage, there are additional landscape requirements that apply per Ordinance Section 626.F.2.z including enhanced landscape setbacks along interior lot lines not on a street and a perimeter landscaping plan to be approved by the Planning and Development Department. Because the proposed landscape plan does not depict significant enhancements beyond Ordinance standards and there are additional landscape requirements relevant to the use, it is recommended that the general conformance to the landscape plan be deleted so that these details can continue to be modified for compliance during plan review. Therefore, the request to modify this language is recommended to be denied as filed and the original language deleted.
- 4) The stipulated elevations depicted industrial style buildings constructed primarily of pre-engineered metal siding. The proposed conceptual elevations feature multiple building materials (stucco, split-face masonry, metal, glass), multiple colors, architectural details (storefront mullions, pop outs), and a varied roofline. These represent an improvement over the original elevations and are more compatible with an area that contains existing residential uses. General conformance to the elevations is recommended. However, it is recommended that this requirement be incorporated with Stipulation 1 regarding the site plan. Therefore, the request to modify Stipulation 2 is recommended to be denied as filed and approved with modification to move the language to the prior stipulation.
- 5) The applicant's request to delete Stipulation 3 restricting the driveway along 22nd Street to right-in ingress and left-out egress is recommended to be denied. This stipulation was established in the original rezoning case in order to limit non-residential traffic from the site into the surrounding neighborhood. There remain numerous residential properties in the surrounding area, particularly on both sides of 22nd Street between Quail Avenue and Lone Cactus Drive and along Lone Cactus Drive between 21st Street and Cave Creek Road. Mitigating impacts on these homes remains a concern. The applicant's proposed driveway along Quail Avenue offers direct access east to Cave Creek Road. Additionally, there is no further connectivity offered by right-out traffic onto 22nd Street. The applicant also noted that the residential properties in the surrounding

area are designated Industrial on the General Plan Land Use Map. However, they were designated Industrial at the time the stipulation was established and the land uses remain residential. Finally, it should be noted that the original stipulated plan was designed to be developed in conjunction with a parcel to the north that offered additional direct access to Lone Cactus Drive from the southern parcels. The current proposed site plan does not include this parcel and therefore increased use of 22nd Street is possible if the stipulation is deleted. This recommendation is also consistent with the recommendation of the Paradise Valley Village Planning Committee.

DECISION: The Planning Hearing Officer recommended denial as filed and approval with modifications.

STIPULATIONS

1.	The development shall be in general conformance with the site plan AND ELEVATIONS date stamped DECEMBER 21, 2020 May 29, 2018 , except as modified by the following stipulations and as approved by the Planning and Development Department.
A.	REFUSE CONTAINERS SHALL BE LOCATED A MINIMUM OF 65 FEET FROM ANY RESIDENTIAL DISTRICT ZONING LINES.
2.	The development shall be in general conformance with the landscape plan and elevations date stamped May 29, 2018, as approved by the Planning and Development Department.
2. 3.	The driveway access along 22nd Street shall be restricted to right-in/left-out only, as approved by the Planning and Development Department.
3. 4.	Right-of-way totaling 25 feet shall be dedicated for the east half of 22nd Street as approved by the Planning and Development Department.
4. 5.	The developer shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. 6.	The property owner shall record a notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be

	according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
6. 7.	A minimum eight (8)-foot high block wall shall be required along the property lines abutting residential zoning.
7. 8.	The 8-foot high block wall along the east property line shall be constructed prior to any other development on site.

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