

ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Bradley Wylam, Planner I, Assisting

May 18, 2022

ITEM NO: 3

DISTRICT 7

SUBJECT:

Application #: PHO-3-22--Z-120-00-7
Location: Approximately 375 feet north of the northeast corner of 67th Avenue and Lower Buckeye Road.
Zoning: C-2
Acreage: 2.31
Request: 1) Modification of Stipulation 1 regarding general conformance to site plan date stamped January 28, 2008 and elevations date stamped April 14, 2005 and January 11, 2008.
2) Technical corrections to Stipulations 5, 6, and 10
Applicant: Jesse Macias, M3 Design
Owner: GDC 25TH & PEORIA LLC
Representative: Jesse Macias, M3 Design

ACTIONS:

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

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on May 17, 2022 and recommended approval by a vote of 6-0.

DISCUSSION:

Jesse Macias, representative with M3 Design, provided a review of the plans stipulated in PHO-1-05—Z-120-00-7 and PHO-2-08—Z-120-00-7. He stated that the proposed site plan is similar to what was stipulated in PHO-1-05—Z-120-00-7. He noted that the Estrella Village Planning Committee unanimously recommended approval of the request. He stated that the proposed site plan depicts an approximately 800 square foot drive-through coffee shop on the north portion of the site and an approximately 5,600 square foot car wash on the south portion of the site. He noted that use permits have been obtained for the car wash and outdoor dining and drive-through for the coffee shop. He stated that a retention basin to the north of the subject site provides a buffer between the site and residential developments.

Adam Stranieri, Planning Hearing Officer, stated that no public correspondence was received and noted the Estrella VPC approval. He stated the proposed site plan is similar to the site plan approved in PHO-1-05—Z-120-00-7 and that he had no concerns with the proposal. He stated that the retention area to the north and the coffee shop would provide a buffer for the car wash noise. Mr. Macias noted that the noise from the vacuum area would be minimal due to the location of the vacuum compressors in the main car wash building. Mr. Stranieri stated that the proposed site plan is recommended to be approved and noted the submittal of the plans date stamped May 18, 2022. He stated that the site has been identified as archaeologically sensitive and that three additional stipulations are recommended to address the status. He stated that a Recorded Proposition 207 Waiver is still required prior to preliminary site plan approval and is recommended to be added as a stipulation.

FINDINGS:

- 1) The request to modify Stipulation 1 regarding general conformance to the site plan and elevations is recommended for approval with a modification. The modification is to provide more standard language regarding plan conformance, update plan dates, and to provide greater clarity as to the location and land uses of the individual elevations. The site plan depicts an approximately 800 square foot drive-through restaurant on the north portion of the site. The drive-through for this use utilizes a split design and a bypass lane to improve efficiency. The site plan also depicts an approximately 5,600 square foot car wash on the south portion of the site. The car wash tunnel is along the south property line and the outdoor vacuum system is in the center of the site, buffered from the nearest residents to the north by the proposed restaurant. The proposal is compatible with the scale and intensity of land uses in the surrounding area and consistent with its location near the intersection of two arterial streets.
- 2) 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:

1.	That THE development shall be in general conformance to WITH the site plan AND ELEVATIONS date stamped MAY 18, 2022, January 28, 2008 and elevations date stamped April 14, 2005 and January 11, 2008, as may be modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department.
2.	That Loading dock areas SHALL be depressed.

3.	That Only two driveways SHALL be allowed on each street frontage
4.	That A minimum 75 x 75 foot landscape entry SHALL be provided at the 67th Avenue and Lower Buckeye Road.
5.	That The developer of this property agrees to participate in THE Estrella Village Planning Committee's adopted ESTRELLA Multi-Purpose Trails Plan along Lower Buckeye Road.
6.	That The developer of this property agrees to participate in THE Estrella Village Planning Committee's adopted Major ESTRELLA VILLAGE ARTERIAL Street Landscape LANDSCAPING Program, WHICH IS designed for all arterial streets.
7.	That Proposed development adjacent to future transit locations shall integrate the transit stop/shelter with the site, providing convenient access to pedestrians and persons with disabilities, as may be approved by the Public Transit Department. That Right-of-way for arterial streets shall be dedicated as per the approved Street Classification Map.
8.	That Adjacent streets shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
9.	That Landscaping shall be provided along THE east property line and main entryways with 2-inch caliper trees placed 20-feet on center. A landscape plan shall be submitted for administrative approval by the Planning Hearing Officer prior to final site plan approval.
10.	A bus bay and transit pad shall be located northbound 67th Avenue on the far side on Lower Buckeye Road as approved by the Streets Transportation Department.
11.	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.
12.	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.
13.	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.
14.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. THE WAIVER SHALL BE RECORDED WITH THE MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

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