

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Bradley Wylam, Planner I, Assisting

July 20, 2022

ITEM NO: 1	
	DISTRICT 1
SUBJECT:	
Application #:	PHO-2-22--Z-97-96-1
Location:	Northeast corner of 30th Avenue and Deer Valley Road
Zoning:	CP/GCP
Acreage:	7.58
Request:	1) Modification of Stipulation 1 regarding development in accordance with site plan dated June 20, 1996 and April 26, 2002. 2) Modification of Stipulation 2 regarding emergency access to Louise Drive (PHO-1-02). 3) Deletion of Stipulation 5 regarding notification requirements.
Applicant:	AZ West Deer Valley LP
Owner:	AZ West Deer Valley LP
Representative:	Shaine Alleman, Tiffany & Bosco PA

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications.

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee heard this request on July 14, 2022 and recommended approval by a vote of 10-0.

DISCUSSION:

Shaine Alleman, representative with Tiffany & Bosco PA, introduced the subject site and surrounding uses. He stated that Hopewell Development will be making improvements to the surrounding commerce park development, which will include renovation of existing buildings as well as the development of an approximately 43,672 square foot office and warehouse building, as depicted on the proposed conceptual site plan. He stated that the proposed building height would be approximately 29 feet to the roof deck and 34 feet to the top of parapet. He stated that modification of Stipulation 1 regarding general conformance with the site plan would allow the building to be developed as proposed. He stated that the modification of Stipulation 2 in PHO-1-02—Z-97-96-1 would provide

consistency between the two approval letters relevant to the subject site. He stated that the deletion of Stipulation 5 regarding notification requirements is proposed because Mr. Bob Buse no longer owns or lives at the stipulated address and is not able to be contacted regarding hearings.

Adam Stranieri, Planning Hearing Officer, stated that the Deer Valley Village Planning Committee unanimously recommended approval of the request. He noted that the subject site of the current request was the full area of the original rezoning case Z-97-96-1, but that different portions of the subject site were subject to stipulations of the original rezoning case and PHO-1-02—Z-97-96-1. He stated that his recommendation would be formatted to provide consistent modifications in both areas to result in one set of stipulations for the full case area. He stated that the modification of Stipulation 1 regarding general conformance with the proposed conceptual site plan be approved. He noted that the proposed development is compatible and consistent with development in the surrounding area. He stated that the modification of Stipulation 2 regarding emergency access to Louise Drive is recommended to be approved to correct inconsistencies between the two approval letters. He stated that the deletion of Stipulation 5 is recommended for approval and that staff had also confirmed Mr. Bob Buse no longer resided at that address.

FINDINGS:

- 1) The subject property of this request includes the entire subject property of the original rezoning case Z-97-96-1, which consisted of approximately 7.58 gross acres. Following the original rezoning case, PHO-1-02—Z-97-96-1 modified stipulations for approximately 5.02 gross acres on the western portion of the site only. Therefore, the applicant's request includes modification requests to the approval letters for both Z-97-96-1 and PHO-1-02—Z-97-96-1. The following PHO recommendation coordinates the recommended modifications, deletions, and additional stipulations in both letters so that the result is the same in both cases and can be represented by a single approval letter under Case No. PHO-2-22—Z-97-96-1.
- 2) The requests to modify Stipulation 1 in both Z-97-96-1 and PHO-1-02—Z-97-96-1 are recommended for approval with modifications to provide more standard conformance language. The proposed conceptual site plan depicts existing conditions on the western portion of the site and proposes no changes. On the eastern portion of the site, along Deer Valley, Road, the proposed conceptual site plan depicts an approximately 43,672 square foot office and warehouse building. Building height is approximately 29 feet to the roof deck and 34 feet to the top of parapet. The site plan depicts minor modifications to driveways and vehicular circulation to improve traffic flow on the site and between the various buildings within

the subject site. The proposal is compatible and consistent with development in the surrounding area.

- 3) The request to modify Stipulation 2 in PHO-1-02—Z-97-96-1 is recommended for approval with a modification to retain the word “shall” for clarity and consistency with the modification in the original letter. No change is proposed to the intent or requirement in the stipulation itself. This modification is solely to match language between the two letters.
- 4) The requests to delete Stipulation 5 in both Z-97-96-1 and PHO-1-02—Z-97-96-1 are recommended for approval. Both the applicant and staff reviewed ownership information for the property and found that the identified individual no longer resides at this address.

STIPULATIONS:

Stipulations: Z-97-96-1

PHO recommended legislative edit of stipulations applicable to that portion of the site subject to Z-97-96-1.

1.	That the site be developed in accordance THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE with the site plan dated June 20, 1996 DATE STAMPED JUNE 16, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	That Access to Louise Drive SHALL be limited to emergency vehicles.
3.	That Parking requirements for future development on this site SHALL be based on office and warehouse uses rather than a school use.
4.	That No motorcycles shall be permitted to be tested outside any building.
5.	That the applicant shall notify Mr. Bob Buse, 3014 West Deer Valley Drive, Phoenix, of site plan review by the Development Services Department.

Stipulations: PHO-1-02--Z-97-96-1

PHO recommended legislative edit of stipulations applicable to that portion of the site subject to PHO-1-02—Z-97-96-1.

1.	That the site be developed in accordance THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE with the site plan dated April 26, 2002 DATE STAMPED JUNE 16, 2022, as further modified to eliminate cross access on the north side of the property, and to eliminate the two driveways on Louise Drive, and eliminate the access on 30th Avenue AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	That Access to Louise Drive shall be limited to emergency vehicles.
3.	That Parking requirements for future development on this site SHALL be based on office and warehouse uses rather than a school use.
4.	That No motorcycles shall be permitted to be tested outside any building.
5.	That the applicant shall notify Mr. Bob Buse, 3014 West Deer Valley Drive, Phoenix, of site plan review by the Development Services Department.

Final Stipulations: PHO-2-22--Z-97-96-1

Final stipulations reflecting the PHO recommended legislative edit of both Z-97-96-1 and PHO-1-02—Z-97-96-1, resulting in a single set of stipulations for PHO-2-22—Z-97-96-1. See Finding #1 for detailed information.

1.	The development shall be in general conformance with the site plan date stamped June 16, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2.	Access to Louise Drive shall be limited to emergency vehicles.
3.	Parking requirements for future development on this site shall be based on office and warehouse uses rather than a school use.
4.	No motorcycles shall be permitted to be tested outside any building.

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