

## ATTACHMENT B

### REPORT OF PLANNING HEARING OFFICER ACTION

Byron Easton, Planner III, Hearing Officer  
Teresa Garcia, Planner I, Assisting

February 19, 2025

ITEM NO: 2	
	DISTRICT NO. 1
SUBJECT:	
Application #:	PHO-2-25--Z-174-87-2(1)
Location:	Southwest corner of 27th Avenue and Deer Valley Road
Zoning:	C-1 DVAO
Acreage:	9.98
Request:	1) Request to modify Stipulation 1 regarding general conformance to the site plan presented. 2) Request to delete Stipulation 9 regarding design standards of the C-1 parcel.
Applicant:	Lauren Proper Potter, Huellmantel & Affiliates
Owner:	QuikTrip Corporation
Representative:	Lauren Proper Potter, Huellmantel & Affiliates

### **ACTIONS:**

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

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

### **DISCUSSION:**

Lauren Proper Potter, representative of Huellmantel & Affiliates, PO Box 1833 Tempe AZ 85280, gave an overview of the site and original rezoning case. She stated the parcel was initially going to be developed as one large scale retail site, but now they only want to develop a QuikTrip Travel Center on a portion of the parcel.

Byron Easton, Planning Hearing Officer, asked what the rationale for the request to delete Stipulation 9 was. He mentioned the 25-foot landscape mentioned in 9d. is being met and asked for more clarification on the rationale.

Ms. Proper Potter stated it was to allow for flexibility of future commercial uses on the site. She said they plan on parceling up the lot in the future and this can present some challenges with meeting Stipulation 9d and potential uses.

Mr. Easton asked if Ms. Proper Potter was aware they would need to return to PHO for the other parcels.

Ms. Lauren Proper Potter confirmed she knew.

Mr. Easton mentioned the landscape setback needed to be met for general conformance.

He stated the 25-foot height requirement was being met in the elevations presented and Stipulation 9e. is consistent for C-1 standards. He recommended approval with a modification to the modification of Stipulation 1 regarding general conformance to the site plan presented. He recommended approval to the deletion of Stipulation 9 regarding design standards of the C-1 parcel. He indicated the Public Transit Department had a comment regarding the retention of a bus pad on southbound 27th Avenue. He asked Ms. Proper Potter if she was aware of a bus pad on 27th Avenue south of Deer Valley Road.

Ms. Proper Potter stated she was unsure of the location.

Teresa Garcia, Planning Hearing Officer Assistant, displayed a street view map of the intersection of 27th Avenue and Deer Valley Road showing the bus pad.

Mr. Easton indicated the bus pad was not shown on the site plan and it will need to be stipulated.

Ms. Proper Potter indicated they received a comment during their development pre-app meeting to replace the bus pad with a bus bay.

Mr. Easton added a stipulation regarding a dedicated right-of-way and a bus bay (Detail P1256) to be constructed on 27th Avenue as approved by the Planning and Development Department.

### **FINDINGS:**

- 1) The request to modify Stipulation 1 regarding general conformance is recommended to be approved with a modification to provide more standard language. The stipulated site plan on the northeast portion of the site (Parcel 5) was originally approved in 1987 for the development of a strip mall with a long L-shaped building on the southwest corner of the site and a single building at the northeast corner of the site. This project did not develop, and the property remains vacant. The proposed conceptual site plan depicts an approximately 7,315 square foot Quik Trip convenience store located on the upper half of the site with fueling canopies north and south of the building. The proposal is compatible in scale and intensity with existing and planned commercial development in the surrounding area. General conformance to the site plan is recommended.

- 2) The request to delete Stipulation 9 regarding design standards for the C-1 parcel is recommended to be approved. The applicant is proposing to remove this stipulation as QuikTrip owns the approximately 10-acre site and will only be developing 4.7 acres at this time. While QuikTrip is currently proposing one PAD on the site, they would like the option to be able to add future commercial uses on their property. They understand that an additional PHO application will be required in the future to further develop the site with other PADs. QuikTrip will comply with all C-1 standards. However, they would like to remove this stipulation altogether so that QuikTrip can maintain the ability to develop the remainder of this site in the future. I agree with the applicant and believe that conforming with C-1 standards is appropriate for this site and therefor recommend approval of the deletion of Stipulation 9.
  
- 3) The Public Transit Department commented that the bus pad on southbound 27<sup>th</sup> Avenue south of Deer Valley Road is to be retained. It was shared by the applicant that through the Development Division pre-application meeting for this project, the Planning and Development Department indicated that the applicant would be required to build a bus bay in that location. An additional stipulation (Stipulation 11) was added to ensure that the bus bay would be constructed per Standard P-1256.

**STIPULATIONS:**

1.	<del>That</del> THE development SHALL be in general conformance to the site plan DATE STAMPED NOVEMBER 15, 2024, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT. <del>presented with appropriate modifications as may be necessary due to drainage and circulation needs.</del>	
2.	<del>That</del> Residential densities SHALL not exceed the following limits:	
	a.	R1-6 – maximum 4.0 dwelling units per acre.
	b.	R-2 – maximum 8.0 dwelling units per acre.
	c.	R-3 – maximum 12.0 dwelling units per acre.
	d.	R-3A – maximum 22.0 dwelling units per acre.
3.	<del>That</del> Each development be subject to Development Coordination office review and approval in accord with Section 511 of the Zoning Ordinance.	
4.	<del>That</del> A master grading and drainage plan for Parcels 1, 2, and 3 SHALL	

	be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development. A master grading and drainage plan for Parcels 4 and 5 shall be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase II development. Each phase shall be in accord with the approved plan.
5.	<del>That</del> The Scatter Wash Floodway SHALL be preserved and enhanced in a natural desert state concurrent with Phase I development.
6.	<del>That</del> The rechannelization of the East Scatter Wash SHALL reflect a natural desert design.
7.	<del>That</del> ALL hiking and riding trails SHALL be dedicated within the Scatter Wash and be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development. Additional trails shall be provided throughout the site for the use of the residents and shall tie residential open space areas to the wash, apartments, and commercial areas.
8.	<del>That</del> The residential development adjacent to the Scatter Wash SHALL be designed with front or side on treatment.
9.	<del>That the C-1 parcel be subject to the following design standards:</del>
a.	<del>Maximum of one detached pad architecturally integrated with the entire center design.</del>
b.	<del>Maximum Floor Area Ratio not to exceed .2.</del>
c.	<del>Maximum one-story, 25 feet building height.</del>
d.	<del>Minimum 20-foot landscape setbacks together with screening walls/berms or a combination thereof be provided adjacent to perimeter streets.</del>
e.	<del>Minimum 24-inch box size shade trees be provided a maximum of 20 feet on center or placed in equivalent groupings adjacent to perimeter streets with minimum 15 gallon size shade trees spaced a maximum of 20 feet on center around the remainder of the site.</del>
9. 10.	<del>That</del> 31st Avenue SHALL be fully improved between Rose Garden Land and the northern boundary of Parcels 1 and 2 as to the 60-foot full street and between the northern boundary of Parcels 1 and 2 and Deer Valley Drive as to the 30-foot half street on the east side concurrent with or prior

	to Phase II development.
10. <del>11.</del>	<del>That</del> The following rights-of-way SHALL be dedicated within one year of the auction of the adjoining parcel(s) by the State:
a.	40-foot half street right-of-way for the west side of 27th Avenue.
b.	55-foot half street right-of-way for the south side of Deer Valley Drive.
c.	30-foot half street right-of-way for the north side of Rose Garden Lane.
d.	25-foot half street right-of-way for the east side of 33rd Avenue.
e.	60-foot full street right-of-way for 31st Avenue with a 30-foot half street right-of-way on the north half of the site.
f.	14'x14' triangle at the intersection of 31st Avenue and Rose Garden Lane.
g.	18'x18' triangle at the intersection of 31st Avenue and Deer Valley Drive.
h.	21'x21' triangle at the intersection of Deer Valley Drive and 27th Avenue.
i.	Additional right-of-way including bus bays and right turn lanes as determined at the time of Development Coordination Office review.
11.	THE RIGHT-OF-WAY SHALL BE DEDICATED AND A BUS BAY (DETAIL #P-1256) CONSTRUCTED ON 27 <sup>TH</sup> AVENUE AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

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