

Attachment B

REPORT OF PLANNING HEARING OFFICER ACTION

Byron Easton, Planner III, Hearing Officer

Teresa Garcia, Planner I, Assisting

May 15, 2024

ITEM NO: 4	
	DISTRICT NO. 8
SUBJECT:	
Application #:	PHO-2-24--Z-14-19-8
Location:	Approximately 776 feet north of the northeast corner of 59th Avenue and Elliot Road
Zoning:	R-3
Acreage:	22.89
Request:	1) Request to modify Stipulation 7 regarding pedestrian connection
Applicant:	Keilah Casillas, Sandbox Development Consultants, Inc.
Owner:	Isola Elliot, LLC
Representative:	Keilah Casillas, Sandbox Development Consultants, Inc.

ACTIONS:

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

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee chose not to review the application.

DISCUSSION:

Keilah Casillas, representative LJA Development, 2375 East Camelback Road, Phoenix, Arizona 85016, gave an overview of the request and the site. She stated they want to delete Stipulation 7.

Byron Easton, Planning Hearing Officer, asked Ms. Casillas to clarify if she was requesting to modify Stipulation 7 or delete Stipulation 7. He clarified that the agenda indicated a modification to Stipulation 7, not a deletion.

Ms. Casillas stated the original request was to modify Stipulation 7 as there are two pedestrian connections associated with the stipulation. She stated the pedestrian connection on the northern portion of the site was no longer needed since the adjacent property had been rezoned to C-2 SP for a self-storage warehouse. She stated the proposed connection on the southern portion will remain and they are only eliminating the northern connection.

Byron Easton, Planning Hearing Officer, recommended approval with a modification.

FINDINGS:

- 1) The request for modification of Stipulation 7 is recommended to be approved with a modification. The site has since been re-zoned C-2 SP for the development of a self-storage facility and the pedestrian is no longer required. The modification is for the deletion of the Stipulation in its entirety.

STIPULATIONS:

1.	The conceptual site plan, landscape plan, lighting plan and building elevations for the commercial (C-1) portion of the site shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval.
2.	The development shall be in general conformance with the site plan and elevation date stamped April 19, 2021, as approved by the Planning and Development Department, and as modified by the following criteria:
a.	The front elevations shall consist of a minimum of 10% non-stucco accent material.
b.	The development shall provide gated access.
c.	The development shall have a maximum of 264 units.
3.	A shared-use path shall be provided along the east side of 59 th Avenue in accordance with the City of Phoenix standard trail detail and as approved, modified, and required by the Parks and Recreation and Planning and Development Departments.
4.	A 30-foot minimum landscape setback shall be provided along 59th Avenue and along Elliott Road, as approved by the Planning and Development Department.
5.	The developer shall provide a minimum of 10% open space, as approved by the Planning and Development Department.
6.	The developer shall install a minimum of 20 inverted U-bicycle racks for quests, installed per the requirement of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.

7.	A pedestrian connection shall be provided between the R-3 and C-1 portions of the site, as approved by the Planning and Development Department.
7. 8.	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.
8. 9.	The applicant shall submit a Traffic Impact Study to the City for this development. The conclusions of the study will be used to determine the required roadway and traffic improvements to be provided by the developer. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson (602-262-7580) to set up a meeting to discuss the requirements of the study. The Traffic Impact Study shall also be submitted to the Arizona Department of Transportation for review and approval.
9. 10.	The developer shall provide for a 55-foot half street right-of-way dedication for the east side of 59th Avenue for the entire length of property, extending to Elliot Road. This shall include 37 feet of paving for the east half of 59th Avenue.
10. 11.	The developer shall provide for a 55-foot half street right-of-way dedication on the north side of Elliot Road from 59th Avenue to the existing residential development to the east. Include 37 feet of paving for the north half of Elliot Road and additional improvements, as approved by the Planning and Development Department.
11. 12.	The developer shall provide for a 25-foot by 25-foot right-of-way triangle dedication at the northeast of the 59th Avenue and Elliot Road intersection.
12. 13.	Open irrigation facilities are to be relocated and piped outside of the right-of-way. Contact Salt River Project to identify existing land rights and establish an appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
13. 14.	The developer shall underground existing overhead electrical utilities within the public right-of-way that are impacted or to be relocated as part of this project, as approved by the Planning and Development Department.
14.	The developer shall construct all streets within and adjacent to the

15.	development with paving, curb, gutter, 5-foot sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
15. 16.	Any request to change, delete or modify stipulations shall be presented through the Planning Hearing Officer process and notification shall be given to the Laveen Village Planning Committee prior to the Planning Hearing Officer hearing.
16. 17.	Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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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