

ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION
Byron Easton, Planner III, Hearing Officer
Teresa Garcia, Planner I, Assisting

November 20, 2024

ITEM NO: 3	
	DISTRICT NO. 8
SUBJECT:	
Application #:	PHO-2-24--Z-120-03-7(8)
Location:	Approximately 315 feet west of the northwest corner of 51st Avenue and Dobbins Road
Zoning:	Rural 43 (Pending S-1) (Approved C-1)
Acreage:	1.14
Request:	1) Request to modify Stipulation 1 regarding general conformance to the site plan and elevations date stamped February 3, 2004.
Applicant:	Rutuja Dhuru, CVP – Dobbins SB, LLC
Owner:	Pacific Western Holdings LLC
Representative:	Rutuja Dhuru, CVP – Dobbins SB, LLC

ACTIONS:

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

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee reviewed the request on October 21, 2024 and recommended approval with an additional stipulation with a vote of 6-3.

DISCUSSION:

Rutuja Dhuru, representative of CVP-Dobbins SB LLC, gave an overview of the site and modification requests. She stated the proposed Starbucks is surrounded by other commercial and residential uses and is one parcel away from the intersection of 51st Avenue and Dobbins Road. She stated the Laveen Village Planning Committee (VPC) called the intersection an important community hub, which is why Starbucks is proposing at this site. She stated the site will have equal access off Dobbins Road and a shared right-in-right-out access off 51st Avenue. She stated the site would have an outdoor patio and a single lane drive-through. She stated the VPC was concerned with the queuing lane capacity, comparing it with the Starbucks on 59th Avenue and Baseline Road, which has the capacity for 7-10 cars. She stated the proposed development will have a queuing capacity for 15 cars and any overflow will occur on the development and not onto Dobbins Road. She gave an overview of the elevations and stated how

the goal of Starbucks was to provide a place in the community that brings people together for good coffee and good conversations.

Byron Easton, Planning Hearing Officer, asked if the elevations presented to the Laveen VPC were the same ones submitted to the PHO staff on August 30, 2024.

Ms. Dhuru stated a revision was made to include the outdoor patio on the elevations.

Mr. Easton noted any revised materials should have been submitted to staff prior to the PHO hearing. He stated if she sends the elevations to Staff, they will have a November 20, 2024 date stamp. He asked if there were any changes to the site plan that was submitted on August 30, 2024.

Ms. Dhuru agreed to send the elevations on November 20, 2024 and stated there were no changes to the site plan.

Mr. Easton stated the Laveen VPC recommended approval with an additional stipulation, regarding general conformance with the elevations presented to the Laveen VPC at the meeting. He recommended approval with a modification to Stipulation 1 regarding general conformance to the site plan and elevations, replacing the original language with general conformance language and the revised elevation date stamp.

FINDINGS:

- 1) The request to modify Stipulation 1 regarding general conformance to the site plan and elevations is recommended to be approved with a modification to provide more standard language. The stipulated site plan on the southeastern, commercial portion of the site was planned for a larger, commercial/retail development. This stipulated project did not develop as planned, with less intensity, much of the commercial area remaining undeveloped. The proposed conceptual site plan and elevations depict an approximately 2,459 square foot Starbucks drive-through restaurant. The proposal is compatible in scale and intensity with existing and planned commercial development in the surrounding area. General conformance to the site plan and elevations is recommended.

STIPULATIONS:

COMMERCIAL	
1.	That THE development shall be in general conformance to the site plan

	<p>and Building Concept “A” elevation date stamped AUGUST 30, 2024, February 3, 2024, with a maximum of 61 residential lots which should not be smaller than shown on the site plan AND ELEVATIONS DATE STAMPED NOVEMBER 20, 2024 as approved or modified by the PLANNING AND Development Services Department. (DSD). The C-4 development shall not exceed A 0.175 lot coverage. There shall be one commercial entrance from Dobbins Road.</p>
2.	<p>That An enhanced landscape feature shall be provided at the intersection of 51st Avenue and Dobbins Road as approved or modified by DSD. This enhanced landscape feature is intended to emphasize Laveen’s agricultural character and heritage with regard to plant type (trees, shrubs, groundcover, annuals, etc.) selection, placement (large, tightly planted street trees) and color Appropriate selections include.</p>
A.	<p>Trees: pecan, Arizona ash, evergreen elm, heritage live oak, sycamore, or other similar trees.</p>
B	<p>Shrubs: myrtle (true, dwarf or twisted) pomegranate, or other similar shrubs.</p>
C.	<p>Accents: deer grass, wild sunflowers.</p>
D.	<p>Vines: white Lady Ban</p>
RESIDENTIAL	
3.	<p>That The site plan design shall incorporate a landscape entry at the main entrance of 51st Avenue into the subdivision (see page 28 of the Laveen Plan for example) as approved or modified by DSD.</p>
4.	<p>That A 9-foot-wide landscaped area containing a minimum of 1 ½ inch caliper shade tree and five shrubs shall be provided an average of 20-feet on center along the street side of each corner lot. The home builder shall be responsible for installation and the homeowner association shall be responsible for maintenance of the common landscaped area.</p>
STREETS	
5.	<p>ThatThe following rights-of-way shall be provided:</p>
A.	<p>That right-of-way totaling 55 feet shall be dedicated for the north half of Dobbins Road, as approved or modified by DSD.</p>
B.	<p>That right-of-way totaling 55-feet shall be dedicated for the west half</p>

		of 51 st Avenue, as approved or modified by DSD.
	C.	That a 21-foot by 21-foot right-of-way triangle shall be dedicated at the northwest corner of 51 st Avenue and Dobbins Road.
6.		That The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping, and other incidentals as per plan approved by DSD. All improvements shall comply with all ADA accessibility standards.
7.		That The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
SCENIC CORRIDOR		
8.		That THE development shall comply with the Dobbins Road Development Standards (“A Sense of Place on Dobbins Road: Design Criteria for Enhancement of Roadway Improvements in a Rural Setting”) as approved or modified by the Development Services Department (DSD).
TRANSIT		
9.		That THE right-of-way shall be dedicated, and transit pad constructed (Detail P-1257 and P-1261) westbound on Dobbins Road west of 51st Avenue, as approved by the Public Transit Department.
TRAILS		
10.		That A multi-use trail shall be provided along 51st Avenue and Dobbins Road in accordance with the city of Phoenix standard trail detail as approved by the Parks and Recreation Department.
<u>New Stipulations from the Village Committee:</u>		
11.		That All perimeter fencing for residential and commercial, and monument signage shall be of a consistent architectural theme. Commercial and residential entry design concepts shall incorporate materials such as stone and/or rock, as approved by the Development Services Department.
12.		All signs will be designed pursuant to the Comprehensive Sign Plan that the applicant shall prepare for the property.

13.	That All commercial elevations and any shade structures shall have the same type of architectural treatment, including color, texture, and materials, as approved by the Development Services Department.
14.	That The electrical and services boxes mounted on commercial buildings shall be painted to match the building and/or screened from view.
Residential Portion	
15.	That The residential perimeter fencing along Dobbins Road shall be a meandering fence.
16.	That Multi-story houses will not be built on any lot adjacent to the subdivision to the north, abutting Dobbins Road or 51st Avenue as indicated on the site plan dated February 3, 2004, by a red star.
17.	Wrap around architectural details and materials will be used on all sides of houses on corner lots and lots visible from 51st Avenue and Dobbins Road.
18.	All houses abutting Dobbins Road shall have a minimum side setback from adjacent side residential lot lines of 25 feet.
SRP Lateral	
19.	If approved by SRP and Development Services Department, that the open SRP lateral SHALL remain along Dobbins Road, as endorsed by the community, to preserve the rural character of Laveen.
AGREEMENT BETWEEN DEVELOPER AND VILLAGE PLANNING COMMITTEE	
A.	As an agreement with the community, that concurrently with or prior to submittal to the City, the developer shall submit copies of a comprehensive sign package, elevations, final site plan, and landscape plan to the Laveen Village Planning Committee and Laveen Citizens for Responsible Development for review and comment.
B.	That The residential elevations should come back to the village and community for review and input.

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