

**Attachment B**

Planning Hearing Officer Summary of March 21, 2018

Application Z-SP-5-14-4

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REPORT OF PLANNING HEARING OFFICER ACTION  
Teresa Hillner, Planner III, Hearing Officer  
Jazmine Braswell, Planner I, Assisting

March 21, 2018

ITEM 5

DISTRICT 4

SUBJECT:

Application #: Z-SP-5-14-4  
Zoning: C-2 HGT/WVR SP  
Acreage: .60  
Location: Approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue.  
Proposal: 1) Modification of Stipulation No. 1 regarding general conformance to site plan and elevations date stamped October 27, 2017.  
2) Deletion of Stipulation No. 1. (a) regarding parking/ maneuvering between buildings and the 7th Street frontage.  
Applicant: Upper Image Services, LLC  
Owner: 4201 North 7th SP, LLC  
Representative: 3K1 Consulting Services, LLC, Michael E.

**ACTIONS:**

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

Village Planning Committee (VPC) Recommendation: At their March 5, 2018 meeting, the Encanto Village Planning Committee recommended approval with a modification by an 11-0 vote.

**DISCUSSION:**

Mr. Michael Scarbrough, representing Quick 'n Clean Carwash, stated they are here to modify 2 of the original stipulations. His client is proposing to develop an express carwash on the subject site. The proposed building will be situated to the far east of the site as possible to allow the full 25-feet of landscaping along 7th Street. They want to make sure the 7th Street corridor is well landscaped to make that area more pedestrian friendly and walkable. He noted no one attended their Village Planning Committee meeting in opposition or support of this case and the case was approved unanimously. In addition, they have already received approval for their use permit to allow for an open carwash.

Ms. Teresa Hillner stated at the Encanto Village Planning Committee meeting there was some concerns about traffic calming along 7<sup>th</sup> Street.

Mr. Scarbrough stated the drive aisle that is located on the south of the site is not owned or controlled by his client therefore, there is not much they can do in terms of diverting traffic. The main issue was the drive aisle on the north side of the subject property. He stated the concerns were addressed at the Zoning Adjustment hearing. They were stipulated to on-site signage that will redirect traffic to exit out of the southern drive.

Ms. Hillner asked Mr. Scarbrough what color will the shaded structures over the vacuum canopies along 7<sup>th</sup> Street be.

Mr. Scarbrough stated the corporate colors are a muted tone for the building, and red and yellow for the logo of the company. He stated the shade canopies will be red.

Ms. Hillner stated there was different aspirations for this property when the self-storage facility was developed. She stated the proposed use is a nice utilization of the property. She stated she does have some concerns with the canopy color being red. She is inclined to add a stipulation regarding how much of the color red they can use along 7<sup>th</sup> Street.

Mr. Scarbrough stated they providing a 25-foot landscape setback and will be providing more trees than required along 7<sup>th</sup> Street therefore when the trees are fully matured, much of the red shade canopy will not be seen from the street.

Ms. Hillner stated that will address her concerns and will approve the request as submitted.

### **FINDINGS:**

1. The original site plan proposed a freestanding building with an unknown use while the self-storage facility was proposed. Since that time, the car wash use has purchased the property. The applicant is moving the building further to the east to accommodate increased landscaping along the 7<sup>th</sup> Street frontage. The applicant is not modifying the access to the site.
2. The proposed elevations are complementary to the self-storage buildings while maintaining the individual identification of the car wash user.
3. The property is within the flight path of Phoenix Sky Harbor International Airport. The Aviation Department has requested to add a disclosure to be recorded on the property.

### **DECISION:**

The Planning Hearing Officer recommended approval with additional stipulations.

**STIPULATIONS:**

1.	The development shall be in general conformance to the site plan date stamped October 27, 2014 AND FEBRUARY 2, 2018 and elevations date stamped October 27, 2014, and January 13, 2015 AND FEBRUARY 2, 2018, with specific regard to:	
	a.	<del>Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;</del>
	b. a.	The sidewalk along 7 <sup>th</sup> Street shall be detached from the curb;
	c. b.	Maximum east elevation building height of 39 feet.
2.	Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.	
3.	That development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:	
	a.	a minimum of two spaces to serve the self-storage facility;
	b.	a minimum of one space per 500 square feet for general retail;
	c.	a minimum of one space per 300 square feet for a restaurant/bar.
4.	A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.	
5.	That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.	
6.	THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.	
7.	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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