

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION October 1, 2020

ITEM NO: 13	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	PHO-1-20--Z-242-81-6
Location:	Northwest corner of 32nd Street and Turney Avenue
Request:	<ul style="list-style-type: none"><li>• Modification of Stipulation 1 regarding site plan approval</li><li>• Modification of Stipulation 2 limiting height to one story</li></ul>
Acreage:	1.40
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	Levine Investments Limited Partnership
Representative:	Wendy Riddell, Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval with modified stipulations, as recommended by the Planning hearing Officer.

Village Planning Committee (VPC) Recommendation:  
**Camelback East** 8/4/2020 Approval. Vote: 18-0.

Planning Hearing Officer Recommendation:  
8/19/2020 Approval, with modifications.

Planning Commission Recommendation: Approval, per the Planning Hearing Officer recommendation.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve PHO-1-20—Z-242-81-6, per the Planning Hearing Officer recommendation.

Maker: Mangum  
Second: Busching  
Vote: 7-0  
Absent: Montalvo, Shank  
Opposition Present: Yes

#### **Findings:**

1. The subject property was rezoned to C-O (Commercial Office) in 1981. Subsequently, the site was developed with single-story offices which remained on the property until approximately 1991. In approximately 1996, the site was redeveloped as a parking area for the commercial offices adjacent to the north and covered parking canopies were installed which remain today. The current



proposal includes the development a of a two-level parking garage at a maximum height of 15 feet on the majority of the parcel and an approximately 5,000-square foot office building along 32nd Street with a maximum height of 26 feet. The proposed development is compatible with the land use pattern in the surrounding area which includes multi-story office, single-family, and multifamily developments. There are no proposed changes regarding access to the site and an existing stipulation prohibiting access from Turney Avenue will be retained. Stipulation 1 requires only site plan approval by the City. The applicant is proposing general conformance to the conceptual site plan which will establish a mechanism for a public hearing if significant changes are proposed to the stipulated plans. Approval of this request is recommended with minor modifications to incorporate standard language regarding general conformance.

2. Stipulation 2 limits buildings to one-story. This stipulation does not quantify the specific building height and could hypothetically permit a one-story building up to a maximum height of 56 feet. The proposed office building is located along the 32nd Street frontage, an arterial street, and is set back at a significant distance from residences to the west. The proposed two-level parking garage has a maximum height of approximately 14 feet which is compatible with the scale of existing residences in the surrounding area. The applicant's requested modification to limit building height to 28 feet is more restrictive than the existing stipulation, the permitted height in the base zoning district, and the height of some existing development in the surrounding area. The proposed building height will also be subject to the general conformance requirement described above in Finding No. 1 which identifies the significantly lower parking garage height. Approval of the request is recommended with a modification to remove the reference to building stories.

#### Stipulations:

1. ~~Site plan approval.~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED JULY 2, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

2. ~~One-story height limitation.~~

THE MAXIMUM BUILDING HEIGHT SHALL BE 28 FEET.

3. 1 foot vehicular non-access easement on Turney.

#### Rights-of-Way

4. Sufficient right-of-way to be dedicated by the property owner within one year of the final City Council action to provide for the following:
  - a. A 20-foot alley on the north side of the property.



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