

Attachment C - PHO Summary

Planning Hearing Officer Summary of November 28, 2018

Application Z-16-00-5 (PHO-1-18)

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REPORT OF PLANNING HEARING OFFICER ACTION

Teresa Hillner, Planner III, Hearing Officer

Jazmine Braswell, Planner I, Assisting

November 28, 2018

ITEM 4

DISTRICT 3

SUBJECT:

Application #: Z-88-16-3 (PHO-1-18)
Zoning: R-O
Acreage: 1.68
Location: Southeast corner of 37th Street and Shea Boulevard
Proposal: 1) Deletion of Stipulation No. 6 regarding no individual building exceeding a maximum of 6,000 square feet.
Applicant: Withey Morris, PLC/ Adam Baugh
Owner: Shea and 37th LLC
Representative: Withey Morris, PLC/ Adam Baugh

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommend approval with an additional stipulation.

Village Planning Committee (VPC) Recommendation: At its November 5, 2018, the Paradise Valley Village Planning Committee recommended approval by a 12 to 0 vote.

DISCUSSION:

Mr. Adam Baugh with Withey Morris, representing the property owner, stated this site was rezoned to R-O (Residential Office) in April of 2017. Because the subject property fronts onto Shea Boulevard, it's an ideal site for a residential office use. As a part of the original rezoning approval, they took elements from the conceptual site plan and created stipulations instead to stipulating to a site plan specific. During this time, they did not have a specific user in mind therefore, they showed three separate buildings that could be turned into a condo plat. Currently, they now have a specific user, SMS Financial, in which one single building would be more desirable. SMS Financial is an investment firm that conducts primarily most of its business out state therefore, this company will not create much vehicular traffic with customer trips to and from the office. He stated, today they request to delete Stipulation No. 6 regarding the individual size of buildings because they are proposing to construct one building on the site. The overall square footage allowed on the site is not changing. They presented this request in front of the Village Planning Committee and it was recommended approval unanimously.

Ms. Teresa Hillner stated the property to the west of the subject site, has one large single building. The use to the east, across 38th Street, appears to have multiple buildings. These sites appear to have similar uses, non-residential, but in a residential character.

The applicant is going to comply with the other stipulations for the case to ensure compatibility with the surrounding residential uses. She stated she is going to approve this request with an additional stipulation.

FINDINGS:

1. The proposed building on the site is approximately the same size as the originally approved three buildings. The original stipulation was to ensure the residential character of the area was maintained. The new building will be designed with a residential character, consistent with the area.
2. During the original rezoning case has several stipulations to mitigate the potential intrusion of non-residential uses into the residential neighborhood. This proposal will comply with those stipulations.

DECISION:

The Planning Hearing Officer recommended approval with an additional stipulation.

STIPULATIONS:

1.	A minimum 20-foot landscape setback along Shea Boulevard and 37th Street, shall be planted with a minimum 50% 2-inch caliper trees, minimum 25% 3-inch caliper trees, and minimum 25% 4-inch caliper trees to be placed 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department. When possible, the developer should use existing trees and landscaping to meet the landscaping requirements.
2.	An average 12-foot landscape setback, minimum 10-foot landscape setback, with minimum 2-inch caliper trees shall be placed 20 feet on center or in equivalent groupings along the south property line, as approved by the Planning and Development Department.
3.	A minimum 10-foot landscape setback with minimum 2-inch caliper trees shall be placed 20 feet on center or in equivalent groupings along the east property line, as approved by the Planning and Development Department.
4.	A minimum building setback of 85 feet shall be required along the south property line, as approved by the Planning and Development Department.
5.	The maximum building height shall be 22 feet.
6.	No individual building shall exceed a maximum of 6,000 square feet.

76.	Lot coverage shall not exceed 23%.
87.	The development shall provide a minimum of 4 bicycle parking spaces that are located within 50 feet from the building entry points, as approved by the Planning and Development Department.
98.	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 plans approved by the City. All improvements shall comply with all ADA accessibility standards.
409.	The property owner shall update all existing off-site street improvements (sidewalks, curb ramps, and driveways) to current ADA guidelines.
4410.	The applicant shall work with the neighbors and the Street Transportation Department regarding traffic calming solutions on Mountain View Road, 36th Street and 37th Street.
4211.	There shall be no public vehicular access to 37 th Street, except a crash gate for emergency vehicle access only may be permissible, as approved by the Planning and Development Department.
12	THE DEVELOPER SHALL DEDICATE A 15-FOOT BY 15-FOOT RIGHT-OF-WAY TRIANGLE AT THE SOUTHEAST CORNER OF 37 TH STREET AND SHEA BOULEVARD