

REPORT OF PLANNING HEARING OFFICER ACTION

Teresa Hillner, Planner III, Hearing Officer

Jazmine Braswell, Planner I, Assisting

September 19, 2018

ITEM 3

DISTRICT 3

SUBJECT:

Application #: Z-9-17-3 (PHO-1-18)
Zoning: C-1
Acreage: 0.72
Location: Approximately 435 feet east of the southeast corner of 12th Street and Bell Road
Proposal: 1) Review of Stipulation No. 1 regarding Planning Hearing Officer review and approval of conceptual elevations.
Applicant: SimonCRE ASE IV, LLC - Dan Biswas
Owner: Metro Commercial Holdings LLC
Representative: BRR Architecture - Kelsey Ahumada

ACTIONS:

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

Village Planning Committee (VPC) Recommendation: The Deer Valley Village Planning Committee chose not to hear this request.

DISCUSSION:

Ms. Kelsey Ahumada with BRR Architecture, representing the applicant, stated they are there to present the proposed building elevations. There were no building elevations proposed at the time of the rezoning. The case included a stipulation that required the proposed building elevations go through the Planning Hearing Officer (PHO) public hearing process.

The site is currently vacant. They are proposing a 6,000 square-foot multi-tenant development. The main access to the site is from Bell Road. There is a shared cross access with the future development to the south of this subject site. The proposed building elevations incorporate a tan color to match the new developments at 14th Street and Bell and 9th Street and Bell with a river rock and a brick veneer accents. They are proposing a prefabricated canopy over the entrances. On the north elevation that faces Bell Road, this where the river rock detail will be present for the drivers on Bell Road to access the site therefore, this is what will be seen from the street.

Ms. Teresa Hillner stated she is going approve this request with a modification and an additional stipulation.

FINDINGS:

1. No building elevations were provided during the initial rezoning request so the stipulation requiring a Planning Hearing Officer public hearing process was included. Since that time, the applicant has identified building elevations for the site.
2. The proposed elevations are using similar colors and materials from the newer developments adjacent to the site. The revised stipulation will establish the proposed building elevations as the guide for the development.

DECISION:

The Planning Hearing Officer recommended approval with a modification and additional stipulation.

STIPULATIONS:

1. THE BUILDING ELEVATIONS SHALL BE IN GENERAL CONFORMANCE TO THE BUILDING ELEVATIONS DATE STAMPED JULY 23, 2018 AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT-~~Conceptual building elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval. The building elevations shall complement the architecture of the existing developments to the east and west. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.~~
2. The plant palette in the landscape setbacks adjacent to Bell Road shall be similar to that of the adjacent C-1 site, located at the southeast corner of 12th Street and Bell Road, as approved by the Planning and Development Department. The plant palette shall include palo brea or palo verde trees placed to shade the sidewalk and lantana for color accent.
3. The drive through shall be screened from the street by a minimum 3-foot high solid wall or a combination of open fencing and landscaping. If a fence is utilized, vines shall be provided and maintained on the exterior, covering a minimum of 50 percent of the fence within 2 years of planting, as approved by the Planning and Development Department.
4. The developer shall provide convenient pedestrian access between the main entrance/s to the proposed building and the planned residential development to the south, as approved by the Planning and Development Department.

5. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. 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.
7. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
8. 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 MARICOPA COUNTY RECORDER'S OFFICE AND DELIVERED TO THE CITY TO BE INCLUDED IN THE REZONING APPLICATION FILE FOR RECORD.

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