

Attachment B

Planning Hearing Officer Summary of November 20, 2019
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REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

November 20, 2019

ITEM 5

DISTRICT 5

SUBJECT:

Application #: Z-33-06-5 (PHO-1-19)
Zoning: CP/GCP
Location: Northwest corner of 115th Avenue and Indian School Road
Acreage: 7.99
Request: 1) Modification of Stipulation 1 regarding general conformance to the site plan and elevations dated March 28, 2006.
2) Technical corrections to Stipulations 2, 3, 4, and 8.
Applicant: Unique Properties Inc. Profit Sharing Plan
Owner: Unique Properties Inc. Profit Sharing Plan
Representative: Law Office of David Cisiewski, PLLC

ACTIONS

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

Village Planning Committee (VPC) Recommendation: The request was scheduled to be heard by the Maryvale Village Planning Committee at its November 13, 2019 meeting. The Committee did not hear the case due to not having a quorum.

DISCUSSION

David Cisiewski, representative with Law Office of David Cisiewski PLLC, discussed the history and intent of the original rezoning action. He stated that the proposed modification is to update the requirement for general conformance to the site plan and elevations from 2006. He added the property was originally intended for industrial offices, warehouses and outdoor storage yards, but was never developed. He stated that the new proposal is campus style professional offices for a non-profit child welfare agency with behavioral health and treatment services. He added that the development will occur in three phases: Phase one will include an administrative building, animal therapy area, and a parking lot; Phase two will include more administrative offices and treatment counseling rooms; Phase three will include an early education center. He noted that development of phases two and three are dictated by demand and finances. Adam Stranieri asked for clarification regarding the number of phases given that the site plan depicts only two phased areas. Mr. Cisiewski stated that the site plan references two phases, but it is more likely to be three phases as presented rather than two.

Mr. Cisiewski stated that the case went to the Maryvale Village Planning Committee (VPC) meeting on November 13, 2019, but there was no quorum. Despite the lack of quorum, he noted that there was receptive dialogue with some Committee members. Mr. Stranieri asked if the Committee had any comments regarding the renderings or building design. Mr. Cisiewski said that they did not. He added that most of the discussion focused on the facility's operations.

Mr. Cisiewski noted that the entitlement would require a use permit for the animal therapy area. Mr. Stranieri asked if staff found the animal therapy area as analogous to a pet care facility. Mr. Cisiewski confirmed that they did.

Mr. Stranieri stated that he had no issue modifying the general conformance to the site plan. However, he added that the existing stipulation has conformance to elevations and he was hesitant to remove the conformance requirement entirely. He asked if the applicant would be willing to add an additional stipulation for review and comment with the Maryvale VPC once building elevations are prepared. Mr. Cisiewski stated that they were willing. Mr. Stranieri noted that it would be a good idea to give the Maryvale VPC an opportunity to provide comments which could later be incorporated during plan review.

Mr. Stranieri stated that the Parks and Recreation Department is requesting dedication of a 30-foot multi use trail easement and 10-foot multi use trail on the east side of the property. He noted that this will be added as an additional stipulation.

FINDINGS

- 1) The original stipulated plan proposed a warehouse and office complex with numerous outdoor storage yards. The proposed conceptual site plan depicts office and treatment facilities intended to house a non-profit child welfare and behavioral health services facility. The complex is designed with a campus-style layout which includes a main office building, early education center, and animal therapy building. Additionally, outdoor amenities include a water pad playground, ramadas, gardens, patios, and a large grass field. The proposed development is more consistent in scale and character with the existing residential development in the surrounding area than the original proposed development which included multiple outdoor storage yards and warehouse style buildings.
- 2) An additional stipulation is recommended requiring the developer to submit building elevations to the Maryvale Village Planning Committee (VPC) for review and comment. There were no submitted elevations in the application, however the original stipulation language does require general conformance to elevations as presented in the original case in 2006. This recommendation will allow the Maryvale VPC to provide their input on the new building designs and their comments will be provided to staff for inclusion in the plan review process.
- 3) The Parks and Recreation Department recommended an additional stipulation requiring that the developer dedicate a 30-foot multi-use trail easement and

construct a minimum 10-foot wide multi-use trail within the easement along the east property line on the west side of 115th Avenue.

DECISION: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

STIPULATIONS

1.	That the project shall be developed THE DEVELOPMENT SHALL BE in general conformance to WITH the site plan and elevations date stamped March 28, 2006 SEPTEMBER 17, 2019, as approved or modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department and the following stipulations.
2.	BUILDING ELEVATIONS SHALL BE PRESENTED TO THE MARYVALE VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO FINAL SITE PLAN APPROVAL, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. 2.	That s Shading such as a decorative awning on top of the front entrance doors of the commercial offices shall be provided as approved by the PLANNING AND Development Services Department.
4. 3.	That t The entryway off Indian School Road shall incorporate a decorative entry monument sign as approved by the PLANNING AND Development Services Department.
5. 4.	That t The site shall conform to the C-2 landscaping standards Zoning Ordinance Section 623.4.e along the site's street frontage as approved by the PLANNING AND Development Services Department.
6. 5.	That t The owners/operators shall inform all tenants of the presence of the sand and gravel mining operation in the immediate area.
7. 6.	That t The site owner shall post signs on the interior of the property along the northern boundary advising all tenants and tenant customers of the mining operation on the other side of the wall. The sign shall advise against trespassing to the neighboring property.
8.	THE DEVELOPER SHALL DEDICATE A 30-FOOT MULTI-USE TRAIL EASEMENT AND CONSTRUCT A 10-FOOT WIDE MULTI-USE TRAIL ALONG THE WEST SIDE OF 115 TH AVENUE IN ACCORDANCE WITH CITY OF PHOENIX MAG SUPPLEMENTAL SPECIFICATIONS SECTION 429, AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT.
9. 7.	That r Right-of-way totaling 40 feet shall be dedicated for the west half of 115th Avenue.

10. 8-	That The developer shall construct all streets adjacent to the development with paving curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.

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