

# ATTACHMENT C

REPORT OF PLANNING HEARING OFFICER ACTION  
Byron Easton, Planner III, Hearing Officer  
Teresa Garcia, Planner I, Assisting

March 18, 2026

ITEM NO: 5	
	DISTRICT NO. 7
SUBJECT:	
Application #:	PHO-3-26--Z-57-06-7
Location:	Approximately 500 feet west of the northwest corner of 91st Avenue and Lower Buckeye Road
Zoning:	S-1 (Approved C-2)
Acreage:	14.40
Request:	<ol style="list-style-type: none"><li>1) Modification of Stipulation 1 regarding site plan, elevations, and conceptual landscape plan date stamped August 15, 2006.</li><li>2) Deletion of Stipulation 2 regarding pedestrian circulation plan.</li><li>3) Deletion of Stipulation 3 regarding an enhanced landscape feature at the intersection of 91st Avenue and Lower Buckeye Road.</li><li>4) Deletion of Stipulation 4 regarding an enhanced landscape feature at the entrance.</li><li>5) Technical Corrections to Stipulations 5 and 10.</li><li>6) Deletion of Stipulation 9 regarding right of way.</li></ol>
Applicant:	Jason Sanks, Iplan Consulting
Owner:	Kimberly Steele, PLC Charter Schools
Representative:	Jason Sanks, Iplan Consulting

## **ACTIONS:**

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

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this request on March 17, 2026 and recommended approval with an additional stipulation.

## **DISCUSSION:**

Jason Sanks, representative of IPlan Consulting for Oakwood Homes, presented the requested stipulation modification regarding the site plan, elevations, and landscape plan. He added they are looking to remove stipulations intended for the previously approved shopping center as their proposal is a townhome

development. Mr. Sanks presented the proposed development, including 130 new townhome units intended for sale. He added there has been previous PHO action on this rezoning case for townhome development. He stated the approved development was intended for townhome rental units and highlighted the new proposal is consistent of for sale units. Mr. Sanks described the townhomes as two- and three-story plans, with open space between each building. He added all townhomes would consist of two car garages and guest parking throughout the site, and stated the proposed plan is in compliance with the parking requirements. Mr. Sanks described the intention was to target entry market home buyers and middle-income earners searching for attainable housing for purchase. Mr. Sanks added the Estrella Village Planning Committee drew concern with the amenities provided for the development. He stated since the Village Planning Committee Meeting, he has been able to create an updated amenity plan consisting of grills, ramadas, picnic tables, lighting, pet station, and an activities lawn. Mr. Sanks acknowledged the required Mixed Use Trail Easement along Lower Buckeye Road and stated the trail will be in compliance with the Estrella Multi Use Trail Plan. He described the Lower Buckeye Roads existing condition is subpar, and through this development the roadway would be improved. He overviewed roadway connections from Lower Buckeye Road to the new Fire Station to the west of the subject property and soon to be Circle K development to the east of the subject property.

Mr. Sanks explained the property to the north of the subject site is currently a charter school. He stated traffic in this area has been an issue related to school pickup and drop off and explained the proposed plan provides access from the charter school directly to Lower Buckeye Road. He added the Village was concerned with conflicting traffic movements along Lower Buckeye Road and as a response the proposed exit from the school access will be right in, right out. Mr. Sanks stated he believed the village has a proposed additional stipulation in relation to access and stated he is supportive of the additional stipulation.

Mr. Easton cited the proposed stipulation in relation to the access to the charter school.

Mr. Sanks responded he is willing to accept the stipulation however he is concerned with the proposed dimensions conflicting with Street Transportation Department requirements.

Mr. Easton reiterated the proposed requests regarding the site plan, elevations, and landscape plan. He stated the Estrella Village Planning Committee heard the case on March 17th, 2026 and received a recommendation of approval by vote of 6-0. Mr. Easton recommended approval with a modification and additional stipulations including the Estrella Village Planning Commission recommended stipulation.

**FINDINGS:**

- 1) The request to modify Stipulation 1 regarding general conformance to a site plan is recommended to be approved with a modification to provide more standard conformance language. The original vision for a large-scale commercial hub is no longer a viable or realistic path forward, and the previously anticipated Home Depot never materialized on the property. In its place, a successful rental community has already been established, fundamentally shifting the character and function of the area. Given this transition toward a residential focus, the addition of the proposed townhomes represents a logical and highly compatible land use for the remaining undeveloped acreage, ensuring a cohesive and well-integrated final buildout for the entire site.
- 2) The request to delete Stipulation 2 regarding a pedestrian circulation plan is recommended to be approved. Originally drafted to accommodate the specific infrastructure and density requirements of large-scale commercial projects, this stipulation has become increasingly ill-suited for development that is strictly residential in nature. As the project has evolved away from a commercial focus, the rigid application of these standards no longer aligns with the site's practical needs or intended use.
- 3) The request to delete Stipulation 3 regarding an enhanced landscape feature along the frontage is recommended to be approved. The townhomes are not being proposed at the intersection of 91st Avenue or Lower Buckeye Road and therefore this stipulation does not apply.
- 4) The request to delete Stipulation 4 regarding an enhanced landscape feature at the entrance is recommended to be approved. The landscape features originally designed for the previous commercial iteration are no longer compatible with the aesthetic or functional requirements of the proposed townhome community. Because the transition from a large-scale retail hub to a residential neighborhood fundamentally changes how the land is utilized, those legacy elements have become outdated and impractical for the current vision.

Furthermore, the site plan for The Oakwood now incorporates a necessary turnaround at the Lower Buckeye Road entrance. Due to the significant spatial footprint required for this infrastructure, the available acreage has been reconfigured, making the previous landscaping plan both physically and conceptually impossible to implement. Replacing those commercial features with residential-scale improvements will ensure a more cohesive and efficient use of the remaining space.

- 5) The request to delete Stipulation 9 regarding right of way is recommended to be approved. The current site plan and projected traffic patterns for the

proposed development indicate that there will be no measurable impact on the functionality or safety of the adjacent intersection.

- 6) The Estrella Village Planning Committee recommended an additional stipulation be added to address traffic safety. Based on discussions that were had during the hearing the VPC determined the best way to address the traffic safety issues would be a stipulation requiring the westernmost driveway to be moved. This stipulation was reviewed by the Streets Transportation Department, and they did not find conflicting language contained within the recommended stipulation. This additional stipulation is recommended to be approved and has been added as new Stipulation 7.
- 7) The applicant did not submit a Proposition 207 waiver of claims prior to the Planning Hearing Officer hearing. Submittal of this form is an application requirement. An additional stipulation is recommended to require the applicant to record this form and deliver it to the City to be included in the rezoning application file for record.

**STIPULATIONS:**

SITE PLAN AND ELEVATIONS	
1.	<del>That</del> The DEVELOPMENT site shall be IN GENERAL CONFORMANCE developed with the site plan, elevations DATE STAMPED JANUARY 27, 2026 and conceptual landscape plan date stamped FEBRUARY 17, 2026 August 15, 2006 as approved or modified by the PLANNING AND Development Services Department.
A.	That prior to the first building being constructed, there shall be a master architecture theme that unifies the different building elements, colors and materials.
PEDESTRIAN CIRCULATION	
2.	<del>That a pedestrian circulation plan, that includes shade along the front of the buildings, and the connections to the adjacent shops and pads shall be provided as approved or modified by the Development Services Department.</del>
LANDSCAPE FEATURE	
3.	<del>That an enhanced landscape feature (a minimum of 75'x75') shall be provided at the intersection of 91st Avenue and Lower Buckeye Road that</del>

	<del>is in conformance with the Estrella Village Arterial Street Landscape Program as approved by the Development Services Department.</del>
4.	<del>That an enhanced landscape feature (a minimum of 50'x50') shall be provided on both sides of the entrances on 91st Avenue and Lower Buckeye Road that is in conformance with the Estrella Village Arterial Street Landscape Program as approved by the Development Services Department. The public trail on the north side of Lower Buckeye Road shall blend in with the enhanced landscaped area.</del>
2. 5.	That The developer shall be required to follow the Estrella Village Arterial Street Landscape Program for all on site landscaping as approved by the PLANNING AND Development Services Department.
PUBLIC TRAIL	
3. 6.	That The developer shall provide a 10-foot-wide multi-use trail along the north side of Lower Buckeye Road per adopted city trail standards as approved by the Parks and Recreation Department.
STREET IMPROVEMENTS	
4. 7.	That Right-of-way for 91st Avenue shall be dedicated per the approved Master Street Plan for the development on the west side of the road as approved by the Streets Transportation Department.
5. 8.	That Right-of-way for Lower Buckeye Road shall be dedicated per the approved Master Street Plan for Country Place as approved by the Street Transportation Department.
9.	<del>That a 21 foot by 21 foot right-of-way triangle shall be dedicated at the northwest corner of 91st Avenue and Lower Buckeye Road as approved by the Streets Transportation Department.</del>
6. 10.	That The developer shall construct all streets 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 Services Department. All improvements shall comply with all ADA accessibility standards.
7.	THE CENTER OF THE WESTERNMOST DRIVEWAY SHALL BE LOCATED A MINIMUM OF 50-FEET EAST OF THE MEDIAN NOSE, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.

8. 11.	That the applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
9.	PRIOR TO FINAL SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS FORM. 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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