

Attachment D

PLEASE RESPOND ELECTRONICALLY TO TERESA GARCIA 2ND FLOOR, 602-262-7399



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** January 12, 2024
From: Joshua Bednarek
Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. PHO-2-24-Z-127-96-6 – Notice of Pending Actions by the Planning Hearing Officer

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **February 21, 2024**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **January 19, 2024**.

DISTRIBUTION

Mayor's Office (Tony Montola), 11th Floor
City Council (Stephanie Bracken), 11th Floor
Aviation (Jordan D. Feld)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Joel Asirsan), 2nd Floor
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Todd Shackelford), 16th Floor
Public Transit (Michael Pierce)
Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Joshua Bednarek, Tricia Gomes), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Byron Easton, Teresa Garcia), 2nd Floor
Village Planner (Matteo Moric, Ahwatukee Foothills)
Village Planning Committee Chair (Andrew Gasparro, Ahwatukee Foothills Village)



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-2-24-Z-127-96-6

Council District: 6

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 1 regarding general conformance with the site plan dated October 15, 1997.; Request to delete Stipulation 2 regarding a Comprehensive Sign Plan.; Technical Correction to Stipulation 3.; Request to modify Stipulation 7 regarding building height.; Request to delete Stipulation 8 regarding a landscaped entryway.; Request to delete Stipulation 9 regarding landscaped pedestrian walkways.

Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Thistle Income Partners LLC	Applicant	2765 Sand Hill Road, Suite 200	602-382-6824		ngriemann@swlaw.com
Snell and Wilmer, LLP, Noel Griemann	Representative	1 East Washington Street, Suite 2700, Phoenix, AZ 85004	602-382-6824		ngriemann@swlaw.com
Thistle Income Partners, LLC c/o Menlo Equities	Owner	2765 Sand Hill Road, Suite 200, Menlo Park, CA 94025	602-382-6824		ngriemann@swlaw.com

Property Location: Southeast corner of 48th Street and Thistle Landing Drive

Acreage: 40.36

Geographic Information

Zoning Map	APN	Quarter Section
B11,A11	301-84-763	Q09-39
A11	301-84-764	Q010-39
A11	301-84-765	Q010-39
B11,A11	301-84-762	Q09-39
Village: Ahwatukee Foothills		

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning@phoenix.gov or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: _____ DATE: _____

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,725.00	\$0.00	12/11/23	PHO (3+ stipulations)

Snell & Wilmer

ONE EAST WASHINGTON STREET
SUITE 2700
PHOENIX, AZ 85004-2556
602.382.6000 P
602.382.6070 F

Noel J. Griemann AICP
(602) 382-6824
ngriemann@swlaw.com

December 11, 2023

Planning Hearing Officer
Planning & Development Department
City of Phoenix
200 West Washington Street
Phoenix, AZ 85003

Re: Stipulation Modification Request for the Property located at the Southeast Corner of Thistle Landing Drive and 48th Street, Case No. Z-127-96-6

Dear Planning Hearing Officer:

On behalf of Thistle Income Partners, LLC (“Thistle”), we are pleased to submit this request for Planning Hearing Officer (“PHO”) approval of proposed modifications to the stipulations of approval associated with the approximately 38.3 gross acres located at the southeast corner of Thistle Landing Drive and 48th Street (shown on Exhibit A), otherwise known as Maricopa County Assessor’s Office Parcel Numbers (APN) 301-84-762, 301-84-763, 301-84-764, and 301-84-765 (the “Property”). More specifically, this application requests stipulation modifications to Case No. Z-127-96-6, which were previously approved for this Property.

The purpose of the letter is to provide a summary of the proposed modifications, as more detailed on the enclosed materials.

A. Background

According to the City of Phoenix Zoning Index Map (A11) (Exhibit B), the Property is subject to two (2) separate zoning cases—referred to in this letter as “Zoning Case 1” and “Zoning Case 2”.

- Case No. Z-10-96-6, approved by the City Council on February 7, 1996, governing a small portion of the Property at the northeast corner (“**Zoning Case 1**”); and

Planning Hearing Officer
December 11, 2023
Page 2

- Case No. Z-127-96-6, originally approved by the City Council on December 16, 1996, and later modified by PHO Case Z-127-96-6—PHO-1-97 approved by the City Council on November 12, 1997 (“**Zoning Case 2**”)

Arguably, Zoning Case 2 applies to the entire Property and supersedes Zoning Case 1 as it relates to this Property. That said, there is discrepancy with respect to the northeast corner of the Property (where the roadway alignment for Thistle Landing Drive begins to veer north from its standard east/west alignment).

To explain, Zoning Case 2 (which was approved after Zoning Case 1) shows the entire Property, including the portion of the Property at the northeast corner (as shown in Exhibit C), in the site plan submitted alongside Zoning Case 2. It therefore appears the intent was for Zoning Case 2 to rezone the entire Property, including the northeast corner.

That said, the City’s Zoning Index Map does not include the northeast corner of the Property within the boundaries of Zoning Case 2. Further, while the northeast corner of the Property was included in the overall site plan submitted with Zoning Case 2, there is no underlying legal descriptions included with Zoning Case 2 showing the City’s Zoning Map was actually modified to include the northeast corner of the Property within the zoning area for Zoning Case 2.

Therefore, based on the above, we are requesting modification to Zoning Case 2 (effecting the majority of the Property) as well as Zoning Case 1¹ (effecting the northeast corner of the Property) in order to “clean-up” this discrepancy and to update the 27 year old conditions to reflect the proposed redevelopment of the property.

B. Project Overview

The Property is currently zoned Commerce Park/General Commerce Park Option (“CP/GCP”) and is developed with four (4) one-story office buildings (which are mostly vacant) and large supportive surface parking lots. Thistle is proposing to redevelop the Property as a state-of-the-art technology center consisting of five (5) separate buildings (the “Project”).

While focused toward data center users, in developing this Project, the intent is to complement and support the existing technology and innovation companies/campuses located in the Ahwatukee area. The Project will also provide a home to advanced internet-based businesses and those that need to locate in proximity to high-capacity computer server facilities.

Due to the Property’s location between more intensive office and light-industrial flex type structures/uses to the east and south and residential dwellings to the west and north, the Project

¹ Modifications to Zoning Case 1 are via separate PHO application.

Planning Hearing Officer
December 11, 2023
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has been carefully designed to provide a transitional scale of massing, uses and landscaping to best fit the surrounding context.

For example, the five (5) proposed new buildings will have a maximum height of 56-feet, similar in scale and appearance to other “Class A” type office park developments. To provide both a buffer as well as design enhancements abutting the surrounding public rights-of-way, the Project will provide substantial building and landscape setbacks that exceed the minimum code requirements applicable to CP/BP structures. The Project’s required substation has been strategically located in the southeast corner of the Site, which enables the substation to be screened by the proposed buildings from view of the surrounding residences.

In addition, the Project will add additional landscape enhancements around its perimeter to provide a shaded walking environment as well as a unique 2+ acre publicly accessible “parklet” at the northeast corner of the Property, which will provide recreational opportunities for nearby neighbors.

As shown in the enclosed site plan and conceptual elevations, the Project is compatible with the existing industrial, commercial and office uses in the surrounding area. The current site is outdated and is designed for call center use, density, parking, and traffic; this type of use is also a lower economic driver. Instead, the proposed Project will produce lower impacts to the surrounding neighborhood by (i) significantly reducing the number of employees on site daily (thus reducing traffic in the area) and will decrease the parking by over 90%, and (ii) adding pedestrian amenities lacking in the immediate area. By changing to a less “traffic” intensive primary use (data center), providing updated neighborhood enhancing/contextually appropriate architecture, and adding shaded pedestrian walking routes with a 2+ acre publicly accessible “parklet”, the Project will be an enhancement and benefit to the community.

In order to facilitate development of the Project, Thistle will utilize the existing CP/GCP development rights and underlying zoning provisions thereof with proposed modifications to the approved conditions of approval, which are discussed in more detail below.

C. Stipulation Review Z-127-96-6—PHO-1-97 (Zoning Case 2)

1. *That development be in general conformance with the site plan dated, ~~October 15, 1997~~ December 7, 2023 as may be modified by the following stipulations, and the Development Services Department AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.*

Request: Modification to match proposed design and technical correction. This change will require compliance with the site plan submitted with this application.

Snell & Wilmer

Planning Hearing Officer
December 11, 2023
Page 4

2. ~~That the property be subject to a Comprehensive Sign Plan per Section 705.JJJ of the Zoning Ordinance. The sign plan shall convey a sense of continuity between the buildings and the property as a whole.~~

Request: Deletion. The Project is no longer multi-tenant office buildings. A comprehensive sign plan for the Project is not necessary. Signage will comply with the standards of the City of Phoenix Zoning Ordinance for such development.

3. *That all buildings within the project shall be harmonious with each other and each building elevation shall be consistent and continuous in design and materials around the building, as approved by the Development Services Department*
PLANNING AND DEVELOPMENT DEPARTMENT.

Request: Technical correction.

4. *That the following right-of-way dedications be provided:*
 - a. *A 55-foot half street and landscape/sidewalk for 48th Street:*
 - b. *A 33-foot half street and a 10-foot landscape/sidewalk easement for Thistle Landing drive; and*
 - c. *A 35-foot half street and a 10-foot landscape/sidewalk easement for 50th Street:*
 - d. *An 18-foot by 18-foot triangle at 48th Street and Thistle Landing Drive.*

Request: No change requested.

5. *Additional right-of-way dedications may be required upon review of the final approved Traffic Impact Study by the Street Transportation Department.*

Request: No change requested.

6. *The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, streetlights, median islands, landscaping and other incidentals as per plans approved by the City.*

Request: No change requested.

7. *That no buildings shall exceed one story 56-FEET in height.*

Request: Modification to match proposed design. As discussed previously, the proposed use will be for a data center, which require additional interior height for operational uses.

Planning Hearing Officer
December 11, 2023
Page 5

The proposed use cannot be developed in a one-story configuration. As such, in order to accommodate this Project, this application requests to modify this stipulation so that the maximum permitted building height is in conformance with the Zoning Ordinance's baseline standards for the CP/GCP zoning district (which is the Property's underlying zoning). In view of this stipulation modification, as shown by the site plan, the Project's proposed buildings will be substantially setback from the adjacent residential neighborhoods and multi-family homes to provide an appropriate transition.

- 8. That a landscaped entryway feature be provided at the northwest corner of the site as approved by the Development Services Department.*

Request: Deletion. The Project is not a commercial center. Substantial landscaping will be provided along the perimeter of the Site; however, given the proposed use, an entryway feature is not appropriate.

- 9. That landscaped pedestrian walkways be provided throughout the site connecting to buildings and adjacent rights-of-way as approved by the Development Services Department.*

Request: Deletion. The Project is no longer multi-tenant office buildings. Based on the proposed use of the Project, providing landscaped pedestrian walkways throughout the site connecting to buildings and adjacent rights-of-way is not applicable for the Project. A detached sidewalk with associated landscaping will be provided adjacent to the public roadway.

D. Summary

This is a request to approve modifications to two (2) zoning cases that were approved for this Property over 25 years ago (between 1996 and 1997). If approved, this application will accommodate the redevelopment of an outdated office development with Thistle's state-of-the-art technology center consisting of four (4) new buildings with a focus on data center users. The proposed redevelopment of the Property will be an improvement to the Property and will complement the existing technology companies located in the area. The proposed modifications will utilize the existing CP/GCP development rights for an office development, retaining consistency with its existing zoning while simply updating the final land use of the Property.

Snell & Wilmer

Planning Hearing Officer
December 11, 2023
Page 6

We look forward to discussing this request in more detail with you. In the interim, if you need any additional information, please do not hesitate to contact us.

Respectfully submitted,

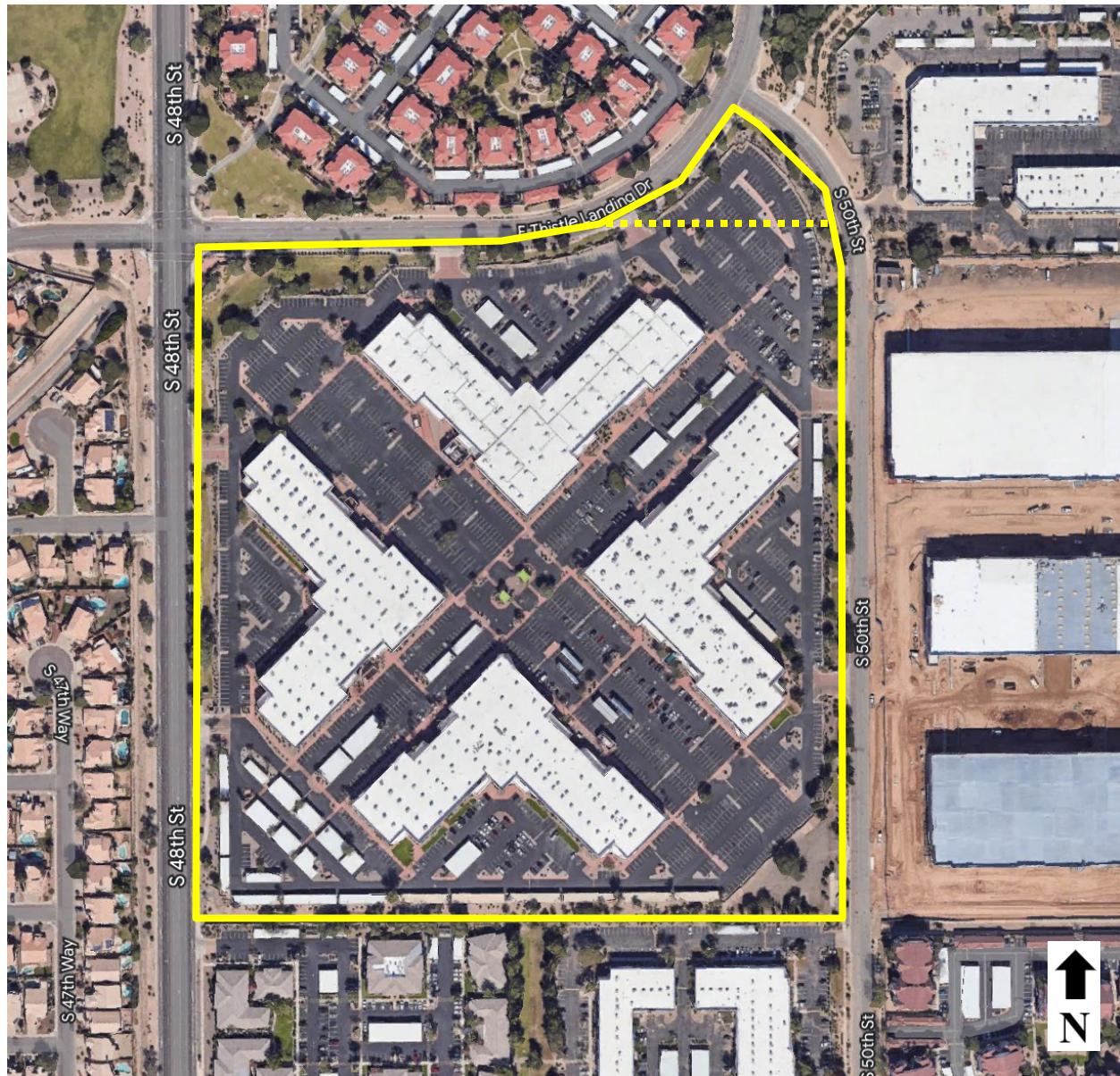
Snell & Wilmer

 For

Noel J. Griemann AICP

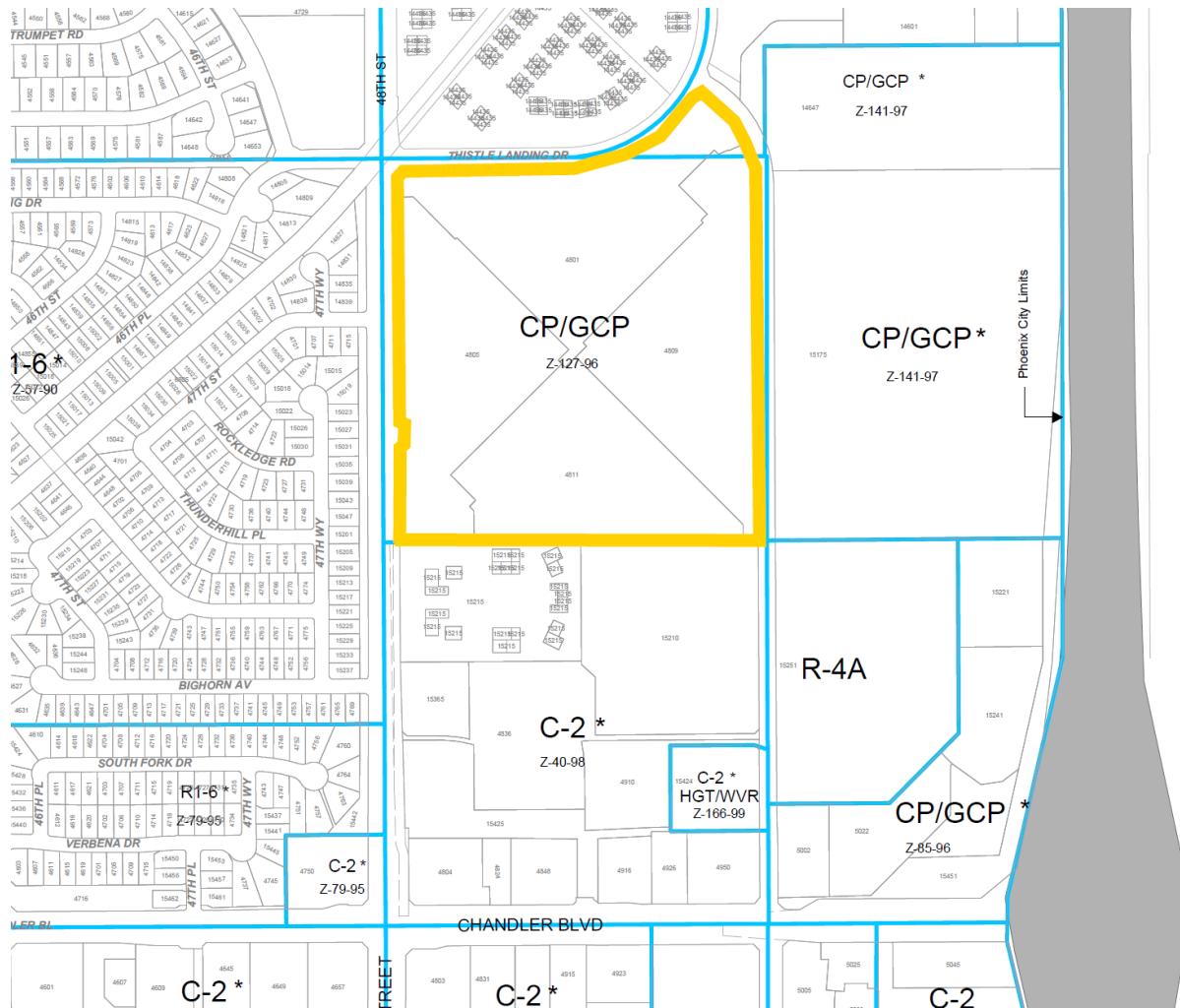
Planning Hearing Officer
December 11, 2023
Page 7

Exhibit A: Site Aerial



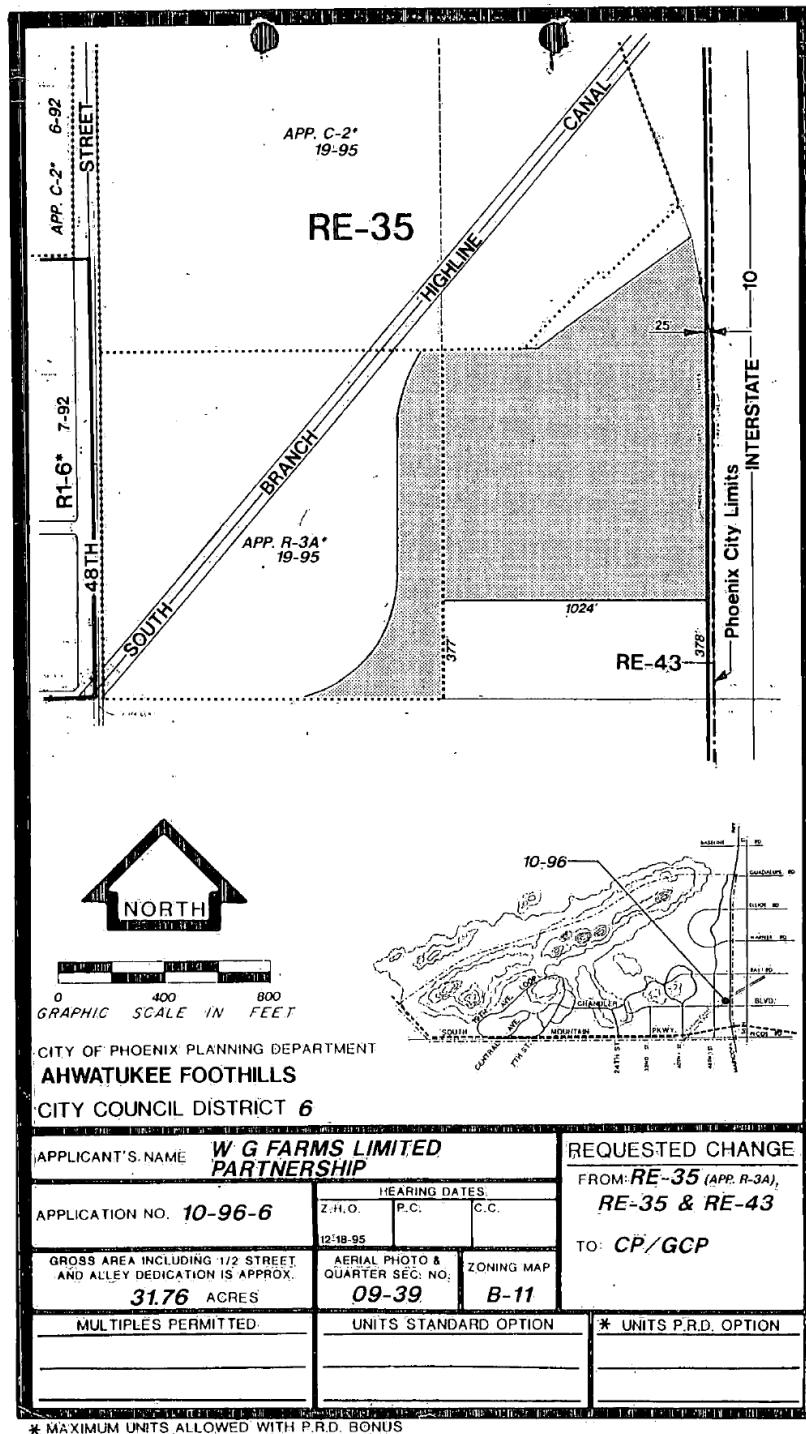
Planning Hearing Officer
December 11, 2023
Page 8

Exhibit B: Zoning Index Map A11



Planning Hearing Officer
 December 11, 2023
 Page 9

Exhibit C: Northeast Corner





City of Phoenix

PLANNING DEPARTMENT

November 14, 1997

Winner of the
Carl Bertelsmann
Prize



M & B Capital Group LLC
2910 East Camelback Road #180
Phoenix, AZ 85016

Dear Applicant:

RE: Rezoning Application No. 127-96-6 - Southeast corner of 48th Street and Thistle Landing (approximately 40.28 acres).

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.1 of the Zoning Ordinance, has on November 12, 1997, concurred with the recommendation of the Planning Hearing Officer and recommended approval of modification of site plan and any stipulations pertaining to redesign of the site, subject to stipulations.

STIPULATIONS:

Mod

1. That development be in general conformance with the site plan dated, October 15, 1997, as may be modified by the following stipulations, and the Development Services Department.

Del

2. That the property be subject to a Comprehensive Sign Plan per Section 705.JJJ of the Zoning Ordinance. The sign plan shall convey a sense of continuity between the buildings and the property as a whole.

TC

3. That all buildings within the project shall be harmonious with each other and each building elevation shall be consistent and continuous in design and materials around the building, as approved by the Development Services Department.

4. That the following right-of-way dedications be provided:

- a. A 55-foot half street and landscape/sidewalk for 48th Street;
- b. A 33-foot half street and a 10-foot landscape/sidewalk easement for Thistle Landing Drive; and
- c. A 35-foot half street and a 10-foot landscape/sidewalk easement for 50th Street;
- d. An 18-foot by 18-foot triangle at 48th Street and Thistle Landing Drive.

5. Additional right-of-way dedications may be required upon review of the final approved Traffic Impact Study by the Street Transportation Department.

November 14, 1997
Ratification 127-96-6
Page 2

6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, streetlights, median islands, landscaping and other incidentals as per plans approved by the City.

Mod

7. That no buildings shall exceed one story in height.

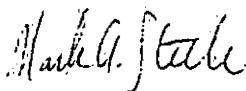
Del

8. That a landscaped entryway feature be provided at the northwest corner of the site as approved by the Development Services Department.

Del

9. That landscaped pedestrian walkways be provided throughout the site connecting the buildings and adjacent rights-of way as approved by the Development Services Department.

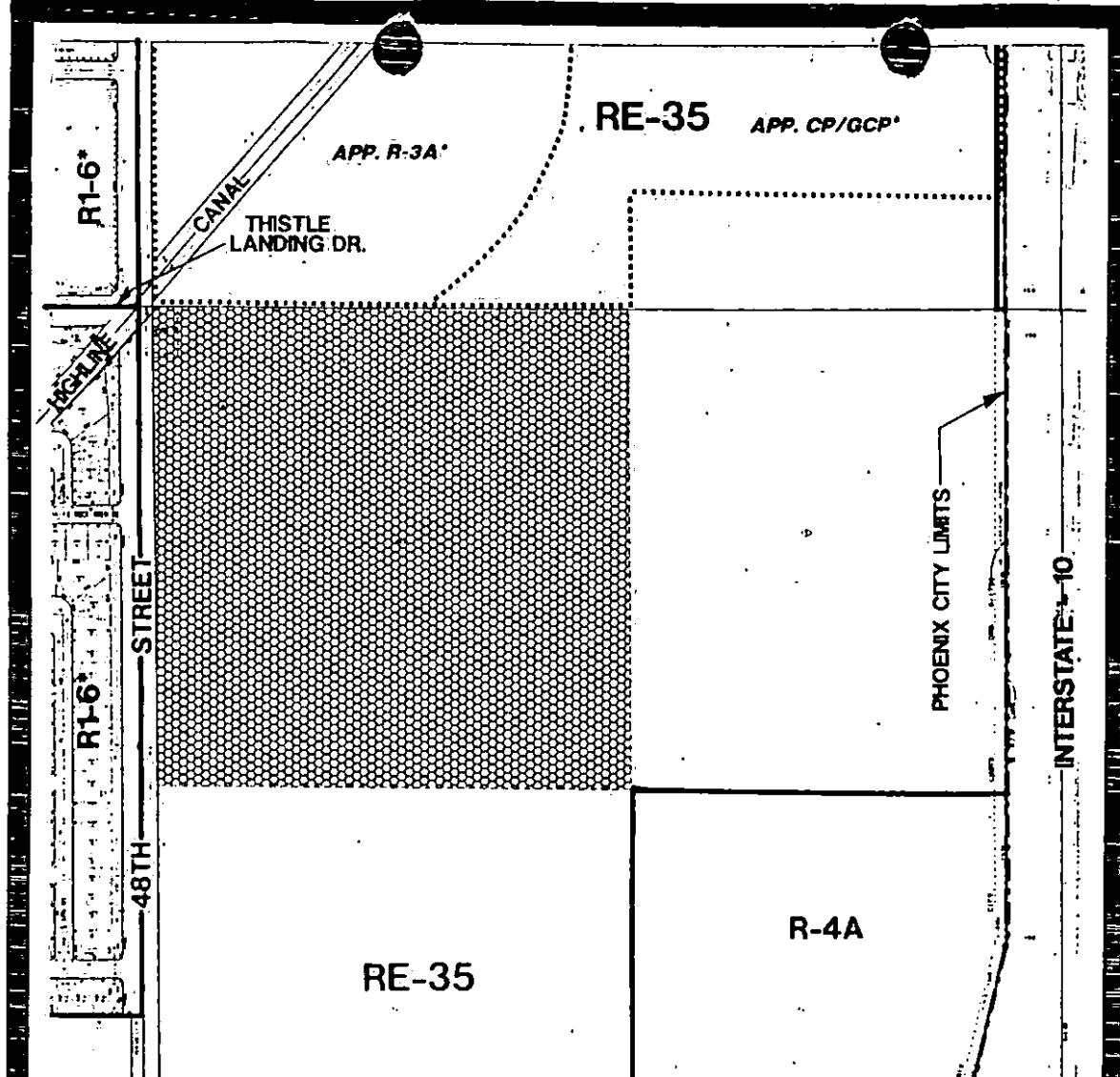
Sincerely,



Mark A. Steele
Principal Planner

R:\W\law\f\hearings\pho\rat\127-96-6

c: City Clerk
Michelle Dodds
Zeke Rios
Rick Doell, Development Services/Building Safety
Ben Leonard, Public Transit
Case File
Books
Stephen Anderson
2 N. Central, 18th Floor
Phoenix, AZ 85004

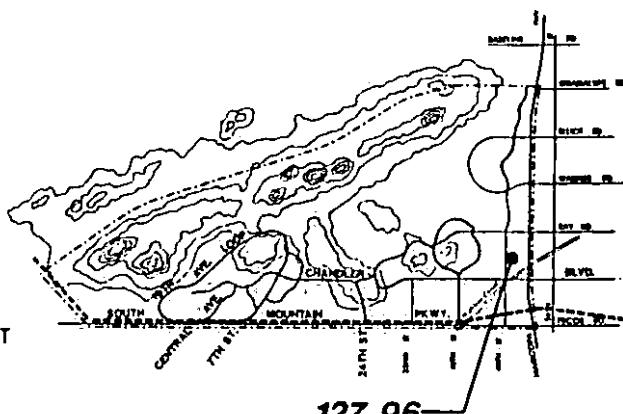


0 400 800
GRAPHIC SCALE IN FEET

CITY OF PHOENIX PLANNING DEPARTMENT

AHWATUKEE FOOTHILLS

CITY COUNCIL DISTRICT 6



127-96

APPLICANT'S NAME **M & B CAPITAL GROUP, L.L.C.**

REQUESTED CHANGE

APPLICATION NO. **127-96-6**

HEARING DATES

Z.H.O.	P.C.	C.C.
10-21-96		

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

40.28 ACRES

AERIAL PHOTO &
QUARTER SEC. NO.

ZONING MAP

010-39

A-11

FROM: **RE-35**

TO: **CP/GCP**

MULTIPLES PERMITTED

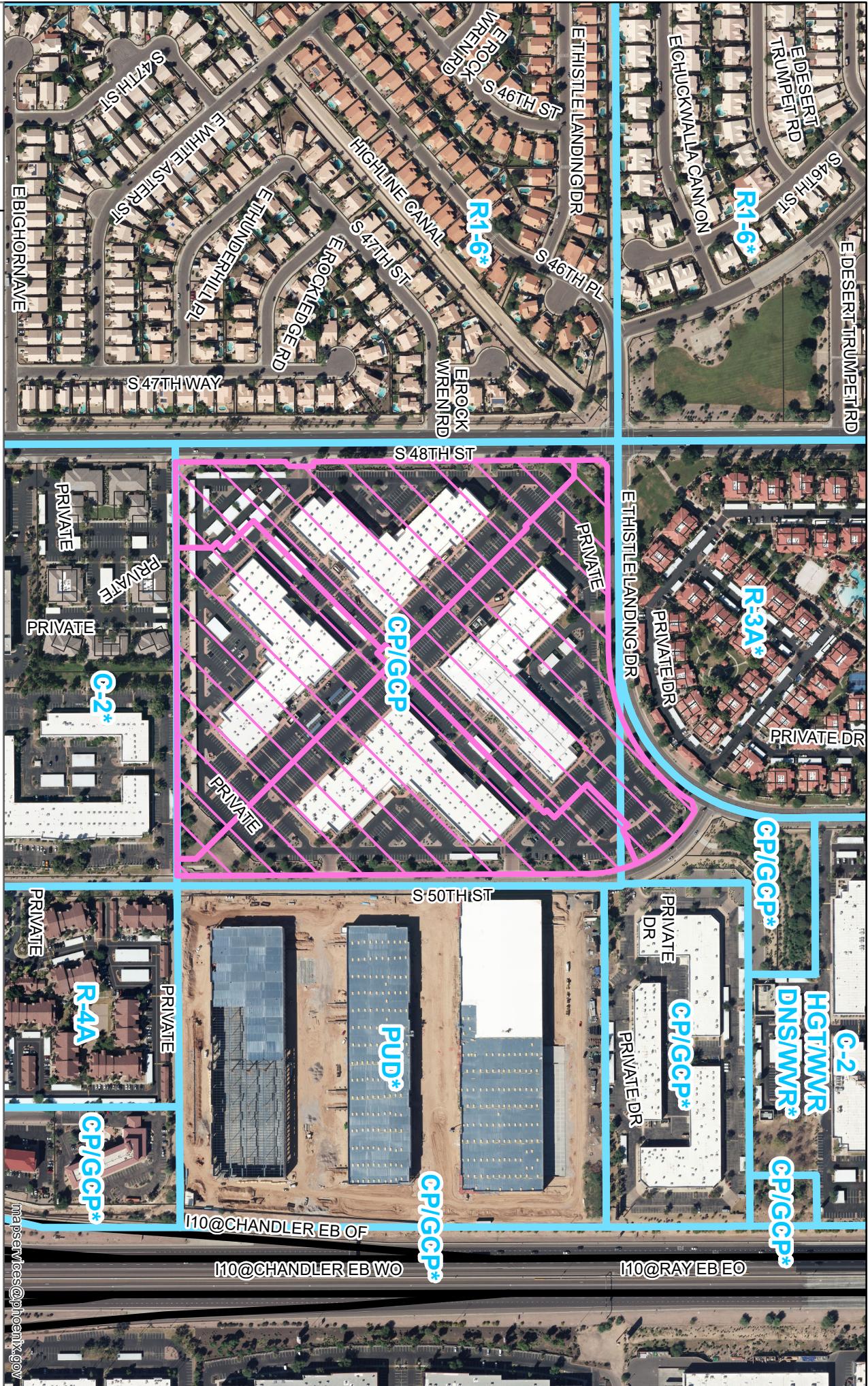
UNITS STANDARD OPTION

* UNITS P.R.D. OPTION

PHO-2-24-Z-127-96-6

Planning & Development Department

Property Location: Southeast corner of 48th Street and Thistle Landing Drive





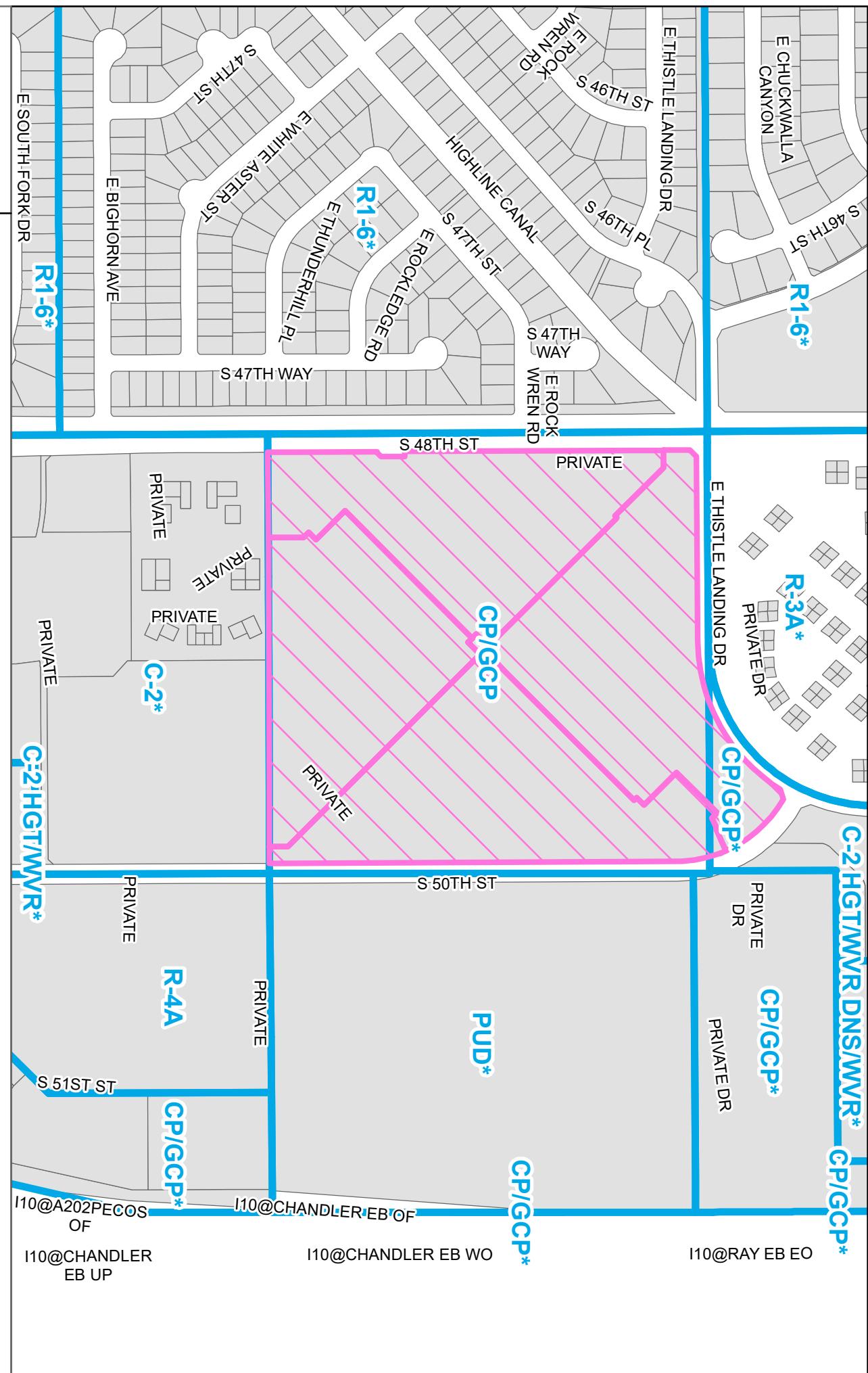
PLANNING AND DEVELOPMENT DEPARTMENT

Planning & Development Department

0 187.5 375 750 Feet



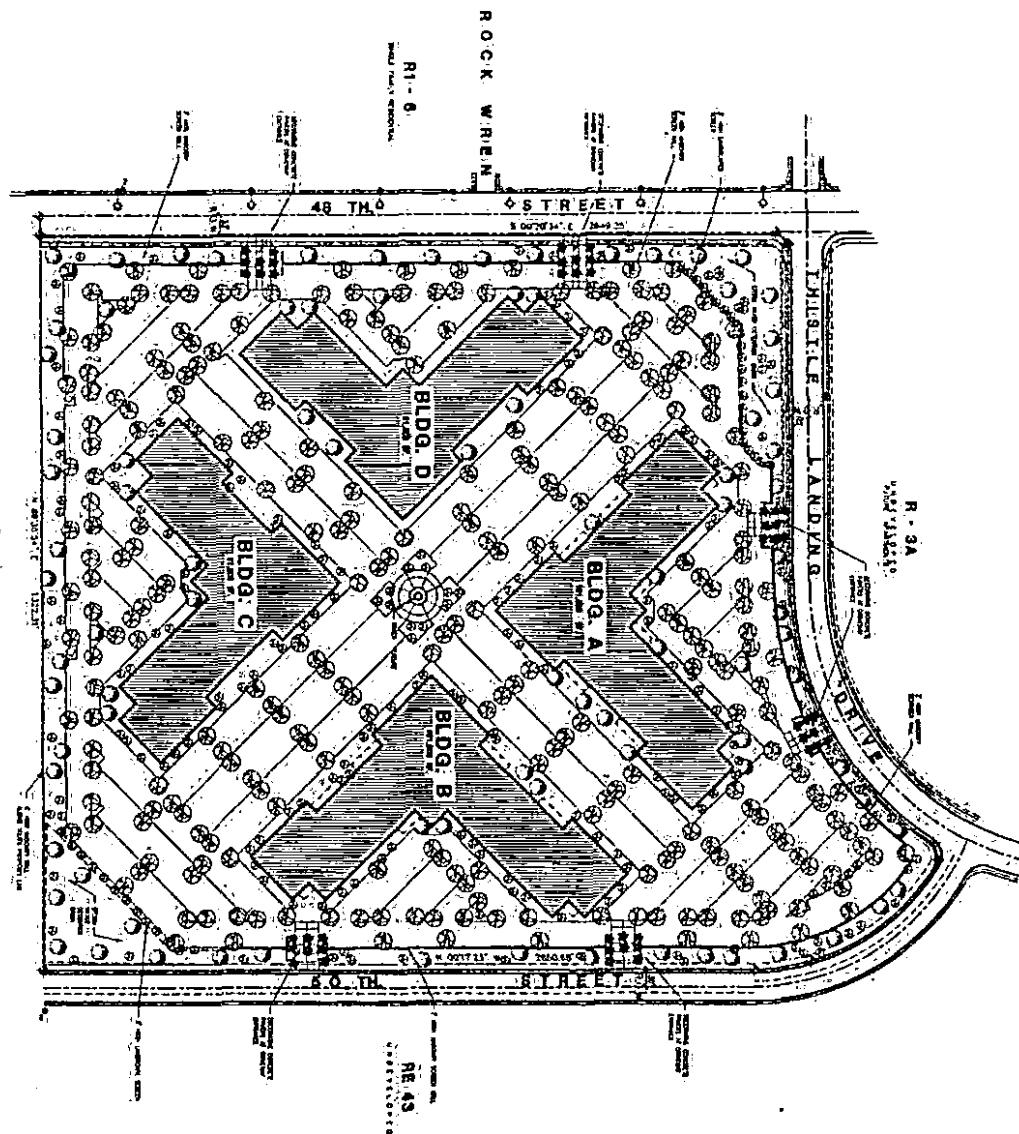
PHO-2-24-Z-127-96-6 Property Location: Southeast corner of 48th Street and Thistle Landing Drive



PRELIMINARY SITE PLAN

SCALE 1" = 100'-0"

RE 49



PROJECT DESCRIPTION:
 This Preliminary Site Plan shows the proposed site plan and accommodations for the Thistle Landing Office Park. The project consists of four buildings (BLDG. A, B, C, D) and associated parking areas. The plan includes property lines, building footprints, and a network of roads and paths. The project is located in the City of Phoenix, Arizona, and is subject to applicable zoning and building codes.

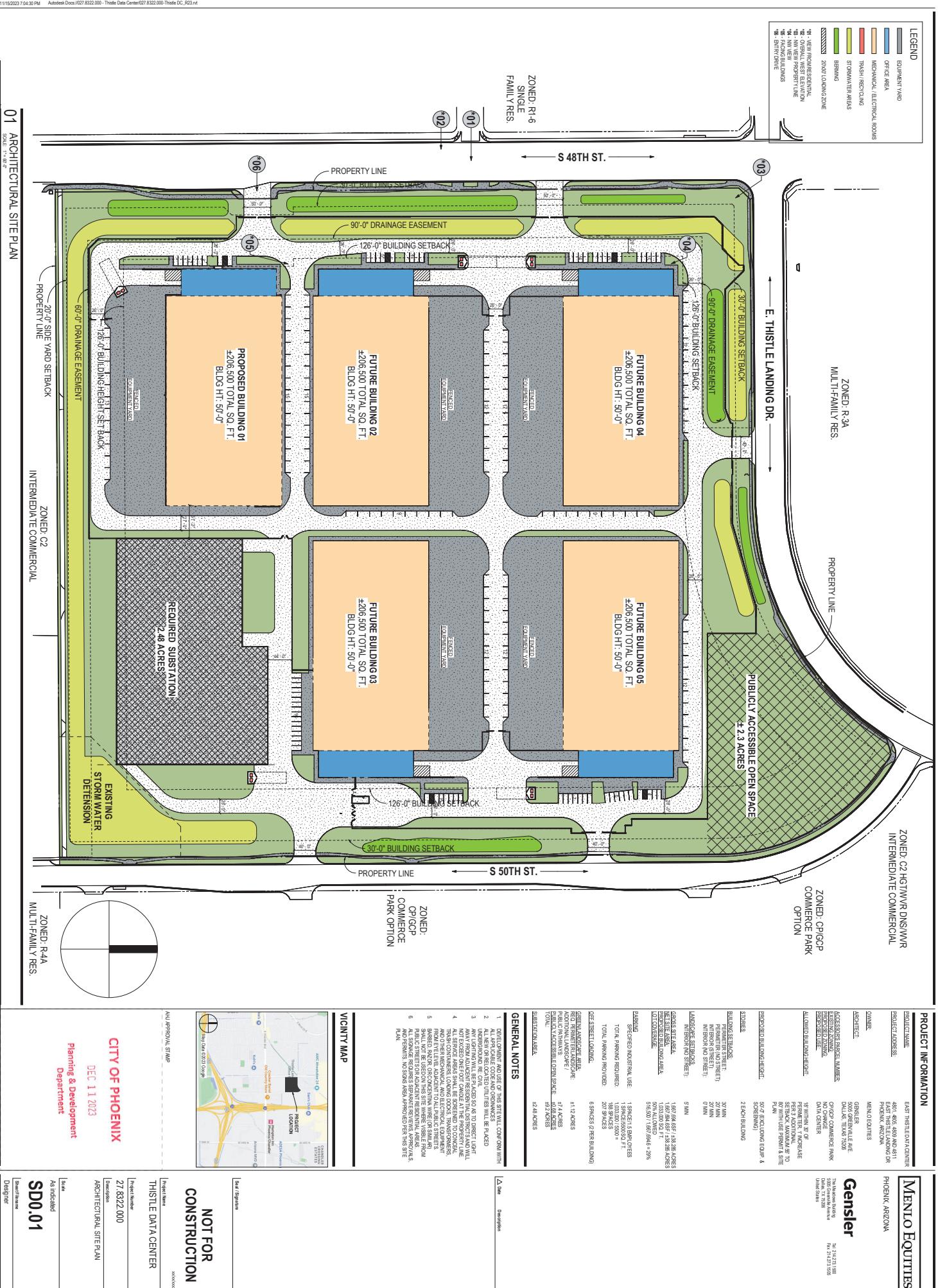
PROJECT INFORMATION:

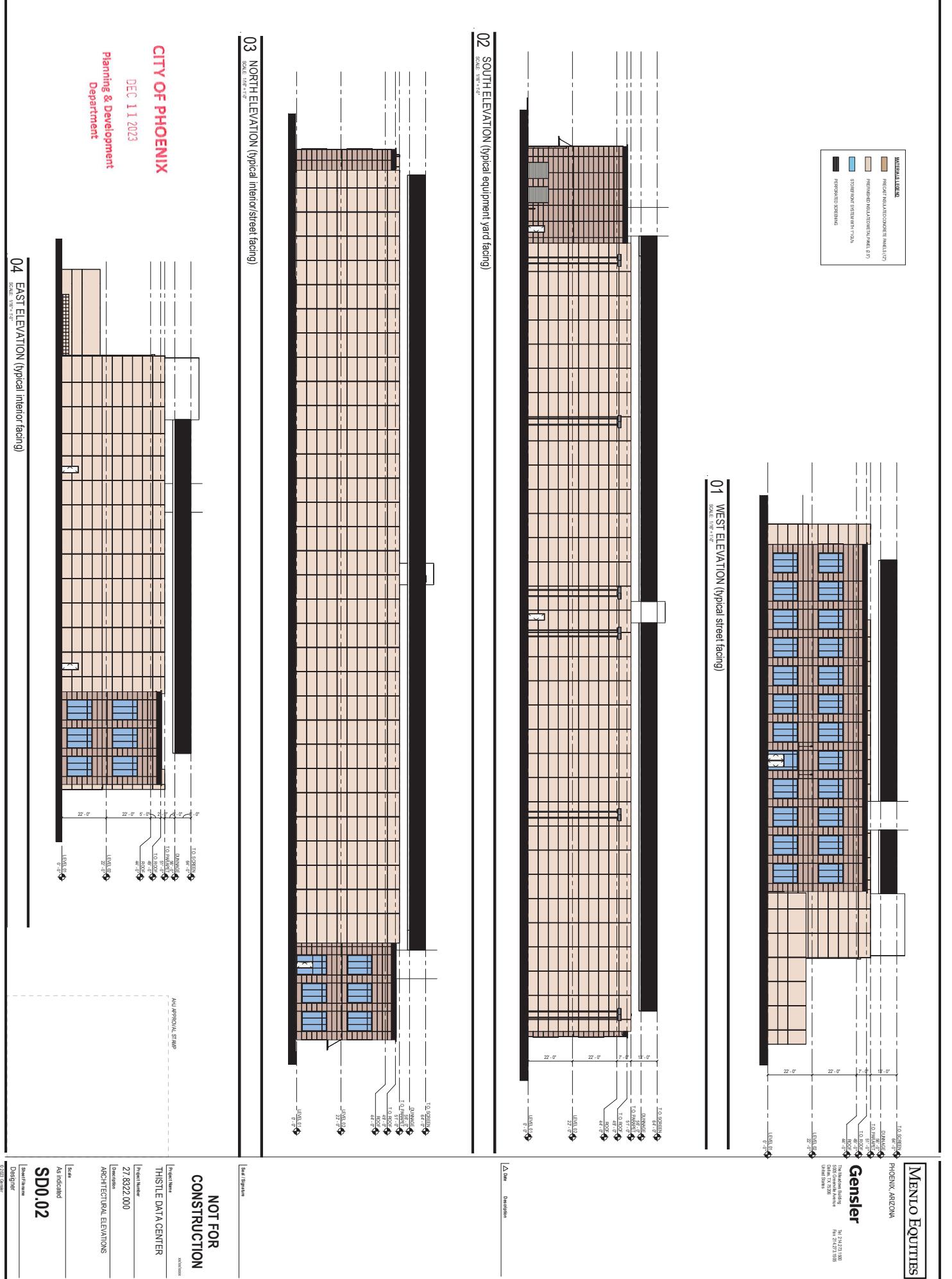
Architect: Plumwood Corporation, LLC
 7411 E. 6th Avenue, Suite 204
 Phoenix, Arizona 85021
 602-941-3446 (Fax 912-5559)
 Zoning: C-4
 CONSTRUCTION PERMIT: [REDACTED]
 Gross Site Area: 100,244 SF
 Gross Building Area: 30,000 SF
 Existing, Proposed: 2433 Spaces

THISTLE LANDING OFFICE PARK
 PLUMWOOD CORPORATION, LLC
 Phoenix, Arizona

David L. Schmitt & Associates
 Architecture and Planning
 7411 E. 6th Avenue, Suite 204
 Phoenix, AZ 85021
 602-941-3446

Schmitt





November 12, 1997

Motion

The Planning Hearing Officer moved to recommend approval of the requested site plan modification and denial of the request for ingress/egress to 16th Place.

Stipulations

1. That development be in general conformance to the preliminary site plan dated April 28, 1995, except as may be modified by the Development Review process or the stipulations below. This includes recording of the vehicular common access easement on the subject properties which would allow the adjacent property joint access rights. That the site located at the southeast corner of 16th Place and Bethany Home Road be developed in general conformance to the site plan dated October 15, 1997, as may be modified by Zoning Adjustment application 485-97-6.
2. That through the Development Review process proof be provided that all structures are in compliance with Phoenix Building and Fire Code standards for commercial buildings.
3. That the applicant shall construct a six-foot masonry wall to screen the parking areas from adjoining properties as may be approved by the Development Services Department.
4. That no ingress or egress be allowed onto 16th Place.

Mr. Nelson declared a possible conflict of interest and withdrew from the voting body on Item 21C.

DISTRICT 6 -
OWNER: M & B
CAPITAL GROUP LLC
REPRESENTATIVE:
STEPHEN ANDERSON

C. Application: **127-96-6**: Request for modification of site plan and any stipulations pertaining to redesign of the site for a parcel located on the southeast corner of 48th Street and Thistle Landing (approximately 40.28 ac.). Existing zoning is CP/GCP.

The Village Planning Committee did not review the application or forward a recommendation.

November 12, 1997

The Planning Hearing Officer stated that the proposal is consistent with the original concept and in keeping with other stipulations on the site. He noted that stipulations requiring consistent architecture could be enhanced with pedestrian linkages between each of the buildings and that given the new orientation of the site, an entry feature should be incorporated into the site.

Motion

The Planning Hearing Officer moved to recommend approval of the request with modified and additional stipulations as follows:

Stipulations

1. That development be in general conformance with the ~~conceptual~~ site plan dated ~~August 28, 1996, October 15, 1997~~ as may be modified by the following stipulations, and the Development Services Department.
2. That the property be subject to a Comprehensive Sign Plan per Section 705.JJJ of the Zoning Ordinance. The sign plan shall convey a sense of continuity between the buildings and the property as a whole.
3. That all buildings within the project shall be harmonious with each other and each building elevation shall be consistent and continuous in design and materials around the building, as approved by the Development Services Department.
4. That the following right-of-way dedications be provided:
 - a. A 55-foot half street and landscape/sidewalk for 48th Street;
 - b. A 33-foot half street and a 10-foot landscape/sidewalk easement for Thistle Landing Drive; and
 - c. A 35-foot half street and a 10-foot landscape/sidewalk easement for 50th Street;
 - d. An 18-foot by 18-foot triangle at 48th Street and Thistle Landing Drive.
5. Additional right-of-way dedications may be required upon review of the final approved Traffic Impact Study by the Street Transportation Department.
6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, streetlights, median islands, landscaping and other incidentals as per plans approved by the City.

November 12, 1997

7. That no buildings shall exceed two stories in height and that either building 1 or 5 shall not exceed one story in height.
8. That a landscaped entryway feature be provided at the northwest corner of the site as approved by the Development Services Department.
9. That landscaped pedestrian walkways be provided throughout the site connecting the buildings and adjacent rights-of way as approved by the Development Services Department.

Mayor Rimsza said Item 21C would hold its place on the agenda until a quorum.

Mr. Nelson returned to the voting body.

ITEM 22

DISTRICT 8 -
ZONING CASE 30-97-8
CLAIRIFYING STIPULATIONS
OWNER: JOHN C. OERTLE, SR.
REPRESENTATIVE: STEPHEN
ANDERSON - F-2700

The Council heard request to approve corrected stipulations for Rezoning Application heard and approved by the City Council on July 2, 1997.

Application: 30-97-8; Request: Commercial retail center; From: S-1 To: C-2; Acreage: 9.98; Location: SWC of 40th Street and Southern Avenue.

The South Mountain Village Planning Committee recommended this request be approved with Planning Commission stipulations. The Planning Commission recommended approval, with stipulations.

On July 2, 1997, the City Council approved with stipulations Rezoning Application 30-97-8, a request for C-2 zoning located at the southwest corner of 40th Street and Southern Avenue. The approval letter for this application contained 16 stipulations which were the original staff-recommended stipulations and were contained in the City Council's agenda. At the July 2, 1997 Council hearing, Councilman Williams' motion was to approve the request with Staff and Village Planning Committee stipulations. This is not reflected in the final approval letter as this set of stipulations was not included in the Council agenda. This item requests that a corrected letter be generated to reflect Councilman Williams' motion.

The South Mountain Village Planning Committee reviewed this application on May 13, 1997, and again on June 10, 1997. The Planning Commission reviewed the request on May 14, 1997. At the second meeting of the South Mountain Village Planning Committee,

REPORT OF PLANNING HEARING OFFICER ACTION October 15, 1997

Mr. Mark Steele AICP, Principal Planner, Hearing Officer
Mr. Randy Weaver, Planner II assisting

SUBJECT

DISTRICT NO.:	6
APPLICATION NO.:	127-96-6
OWNER:	M & B Capital Group LLC
REPRESENTATIVE:	Stephen Anderson
LOCATION:	Southeast corner of 16th Place and Bethany Home Road
REQUEST:	Modification of stipulations regarding general site plan conformance and any stipulations pertaining to redesign of the site.

PLANNING HEARING OFFICER'S RECOMMENDATION:

The Planning Hearing Officer recommended approval of the requested modified site plan with modified and additional stipulations.

FINDINGS:

Mr. Stephen Anderson, 2 North Central Avenue, 18th Floor, Phoenix, Az. 85004, presented the request for site plan modification. He noted that the revised site plan contains 4 buildings, all single story clustered in the center of the site with 386,000 square feet of space and 2,635 parking spaces. Mr. Anderson indicated that the high number of parking spaces is shown because typical users of such facilities are requesting large parking areas because of higher numbers of employees than is sometimes recognized in the Zoning Ordinance parking calculations. Mr Anderson stated that drainage patterns in the area are accommodated on the revised plan given it's open nature in the center of the site.

The Planning Hearing Officer stated that the proposal is consistent with the original concept and in keeping with other stipulations on the site. He noted that stipulations requiring consistent architecture could be enhanced with pedestrian linkages between each of the buildings and that given the new orientation of the site, an entry feature should be incorporated into the site.

MOTION:

The Planning Hearing Officer moved to recommend approval of the request with modified and additional stipulations as follows:

STIPULATIONS:

1. That development be in general conformance with the conceptual site plan dated ~~August 28, 1996, October 15, 1997~~ as may be modified by the following stipulations, and the Development Services Department.
2. That the property be subject to a Comprehensive Sign Plan per Section 705.JJJ of the Zoning Ordinance. The sign plan shall convey a sense of continuity between the buildings and the property as a whole.
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 - a. A 55-foot half street and landscape/sidewalk for 48th Street;
 - b. A 33-foot half street and a 10-foot landscape/sidewalk easement for Thistle Landing Drive; and
 - c. A 35-foot half street and a 10-foot landscape/sidewalk easement for 50th Street;
 - d. An 18-foot by 18-foot triangle at 48th Street and Thistle Landing Drive.
5. Additional right-of-way dedications may be required upon review of the final approved Traffic Impact Study by the Street Transportation Department.
6. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, streetlights, median islands, landscaping and other incidentals as per plans approved by the City.
7. That no buildings shall exceed ~~two stories in height and that either building 1 or 5 shall not exceed one story in height.~~
8. That a landscaped entryway feature be provided at the northwest corner of the site as approved by the Development Services Department.
9. That landscaped pedestrian walkways be provided throughout the site connecting the buildings and adjacent rights-of way as approved by the Development Services Department.