

Attachment C

Planning Hearing Officer Summary of May 15, 2019
Application Z-33-18-2
Page 1

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer
Sofia Mastikhina, Planner I, Assisting

May 15, 2019

ITEM 1

DISTRICT 2

SUBJECT:

Application #: Z-33-18-2 (PHO-1-19)
Zoning: C-2 M-R NBCOD
Location: Southwest corner of North Valley Parkway and Dove Valley Road
Acreage: 2.83
Request: 1) Planning Hearing Officer review and approval of site plan and elevations per Stipulation No. 4.
Applicant: Dennis Newcombe, Beus Gilbert, PLLC
Owner: SWC Dove Valley and NVP, LLC
Representative: Paul E. Gilbert, Beus Gilbert, PLLC

ACTIONS

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

Village Planning Committee (VPC) Recommendation: The request was scheduled to be heard by the North Gateway Village Planning Committee at its May 9, 2019 meeting. The Committee did not hear this case due to not having a quorum.

DISCUSSION

Paul Gilbert, representative with Beus Gilbert PLC, presented the request for conceptual review and site plan approval per Stipulation No. 4. He stated that the car wash will occupy the north portion of the parcel and has received approval for a Use Permit for a car wash in an open building. He noted that one neighboring property owner expressed concerns at the Use Permit hearing and that the applicant has addressed the neighbor's concerns. This individual subsequently submitted a letter in support of the application to the Planning Hearing Officer. He described the size of the building and the lot, the hours of operation, building orientation, direction of blowers, and number of parking spaces with vacuuming. He then presented building elevations noting that the modern design is typical of other car washes. He described the building materials, architectural features, and building height, which varies from 21 to 29 feet. He displayed a conceptual landscape plan and stated that it is consistent with the surrounding desert environment. He noted a low screening wall located behind the landscape setback. He explained that there will be one right-in/right-out driveway on North Valley Parkway. He also noted a cross-access point on the western perimeter. He stated that he also represents a developer who is purchasing the properties adjacent to

the site to the west and they are discussing providing access onto Dove Valley Road, which the car wash may have access to. He described properties in the surrounding area including multifamily residential to the east, vacant C-2 zoned property to the west, and a grocery store and other commercial uses to the north. He stated that the proposal complies with the North Black Canyon Overlay District, noting that wall and fence colors will blend in with the surrounding desert environment, that the landscape palette includes Sonoran Desert plants and complies with the prohibited plant species list, and that they will provide connectivity to public trails. He stated that there has been no known opposition to this case.

Adam Stranieri stated that the Use Permit that was approved on January 3, 2019 included a stipulation that building permits be obtained within 18 months of approval. He asked if the applicant expects to meet that time requirement. Mr. Gilbert replied yes. Mr. Stranieri asked if the applicant will acquire the three adjacent properties to west. Mr. Gilbert said that another individual has acquired these properties. He noted that he also represents this owner and that they may apply for a new rezoning case on these parcels in the near future.

Mr. Stranieri stated that the only request for stipulation modification is for compliance with PHO review of site plan and elevations. He asked if the applicant will comply with all other stipulations listed in the zoning case including the development of multi-use trails on the perimeter of the site. Mr. Gilbert replied yes. Mr. Stranieri explained the history and intent of the North Gateway Village Core Plan and noted that one primary goal is to retain view corridors to surrounding natural amenities, which the proposed one-story structure achieves to a greater degree than the existing M-R zoning designation. He noted that the proposed plant palette provides the natural desert landscaping that the overlay district requires. He then explained that the Village Core was envisioned as a mixed-use corridor, which has not yet developed, but having some commercial development within the Core may help jumpstart other development to attract employers, retail and commercial opportunities to complement the larger mixed-use projects envisioned in the Plan.

Mr. Stranieri noted that the Street Transportation Department recommended two stipulations. The first stipulation requires the developer to complete improvements on Dove Valley Road to the limit of the parcel and prohibits access on Dove Valley Road. He noted that street improvements are already stipulated in the existing Ordinance and that the proposed site plan does not show access to Dove Valley Road. He stated that he would recommend general conformance to the submitted site plan. He recommended revised stipulation language to allow the Street Transportation Department to review requests for access onto Dove Valley Road in the event that the parcels are combined with adjacent properties or larger development in the Core necessitates changes in the roadway configuration. The second stipulation requires that access on North Valley Parkway be right-in, right-out only and prohibits new median openings. He noted that the existing median on North Valley Parkway precludes any other type of access, so this restriction is unnecessary. He recommended the same revised stipulation language allowing the Street Transportation Department flexibility to review future requests for median and access changes if conditions change.

Michael Clark, representing Quick Quack Carwash, the potential tenant, asked if the stipulation language proposed by the Street Transportation Department would prevent them from making changes to the site plan if conditions change. Mr. Stranieri clarified that the recommended stipulation language is intended to allow the Street Transportation flexibility to make determinations regarding adjacent right-of-way if conditions change.

FINDINGS

- 1) The conceptual site plan includes a car wash in an open building with outdoor vacuum stations. A use permit was approved for the use on January 3, 2019 (ZA-600-18). The subject property is located at the intersection of two major arterial streets and adjacent to approved C-2 PCD zoning to the north, south, and west. Existing multifamily residential to the east is buffered by North Valley Parkway, a major arterial street. The site plan is consistent with the scale and intensity of development and zoning designations in the surrounding area.
- 2) One of the primary goals of the North Gateway Village Core Plan is to attract a variety of employers and recruit businesses that complement mixed use development in the Village Core. The proposal will support these goals by developing a commercial use to serve both nearby residents and future commercial and commerce park users in the surrounding area.
- 3) The subject property is identified in the North Gateway Village Core Plan Conceptual Land Use Map for a commercial center/Commerce Park. The proposal is compatible with this designation.
- 4) The North Gateway Village Core Plan calls for development to retain view corridors of Bronco Butte, Pyramid Peak, Union Hills and No Name Mountains. The proposed car wash is one-story and 24 feet in height, consistent with this goal.
- 5) The Street Transportation Department recommended additional stipulations prohibiting access onto Dove Valley Road and new median breaks on North Valley Parkway. Clarifying language is recommended to allow the Street Transportation Department the latitude to review requests for these features in the event the parcel is combined with other property or reconfiguration of adjacent rights-of-way are proposed in the event of future development within the Core.

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

STIPULATIONS

1.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED APRIL 4, 2019 AND ELEVATIONS DATE STAMPED APRIL 19, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2. 4.	All sidewalks shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb, as approved by the Planning and Development Department.
3. 2.	A 10-foot wide multi-use trail shall be constructed within a 30-foot easement per the detail in accordance with the MAG supplemental detail 429 along the south side of Dove Valley Road, as approved by the Planning and Development Department.
4. 3.	The maximum building height shall be limited to 56 feet.
4.	Conceptual site plan and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the North Gateway Village Core Plan.
5.	A minimum of one inverted-U bicycle rack (2 spaces) for guests shall be provided on site, located near a building entrance, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
6.	VEHICULAR ACCESS TO DOVE VALLEY ROAD IS PROHIBITED, UNLESS OTHERWISE APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
7.	MEDIAN OPENINGS IN NORTH VALLEY PARKWAY ARE PROHIBITED, UNLESS OTHERWISE APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
8. 6.	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.
9. 7.	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.
10. 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 the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotope or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.