

Attachment B

Planning Hearing Officer Summary of January 15, 2020
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REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

January 15, 2020

ITEM 2

DISTRICT 2

SUBJECT:

Application #: Z-69-01-2 (PHO-2-19)

Zoning: C-1

Location: Northwest corner of Cave Creek Road and Deer Valley Road

Acreage: 3.41

Request:

- 1) Modification to Stipulation 1 regarding general conformance to the site plan dated July 1, 2001.
- 2) Modification to Stipulation 2 regarding general conformance to the elevation plan dated April 12, 2001.
- 3) Deletion of Stipulation 3 regarding cross access easements along the north and west property lines.
- 4) Modification to Stipulation 4 regarding architectural theme.
- 5) Modification to Stipulation 5 regarding a comprehensive sign package.
- 6) Deletion of Stipulation 8 regarding right-of-way for the north half of Deer Valley Drive.
- 7) Deletion of Stipulation 9 regarding right-of-way for the west half of Cave Creek Road.
- 8) Deletion of Stipulation 10 regarding a bus bay on Deer Valley Drive.
- 9) Deletion of Stipulation 11 regarding street construction.
- 10) Deletion of Stipulation 12 regarding the MAG Developer Project Information Form.
- 11) Deletion of Stipulation 13 regarding canopy illumination.
- 12) Deletion of Stipulation 14 regarding a horizontal relief in the canopy.
- 13) Deletion of Stipulation 15 regarding recessed lighting on the canopy.
- 14) Deletion of Stipulation 16 regarding columns under the canopy.
- 15) Deletion of Stipulation 17 regarding a conceptual site plan for the single-family development.
- 16) Deletion of Stipulation 18 regarding the removal of 10 parking spaces.
- 17) Technical correction to Stipulation 6.

Applicant: Cardell Andrews, Olsson

Owner: Andrew Smith, QuikTrip Corporation

Representative: Cardell Andrews, Olsson

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approval with modifications.

Village Planning Committee (VPC) Recommendation: The Desert View Village Planning Committee opted not to hear this case.

DISCUSSION

Cardell Andrews, applicant and representative with Olsson, stated that he was requesting modifications and deletions to stipulations from a previous PHO. He stated that most of the changes were being made because the original proposed use was a QuikTrip gas station and now they were proposing a Starbucks and dentist's office. He stated that they had a new site plan and added that the stipulations referring to the gas station canopy were no longer relevant.

Jose Ceja, with EXA Architects, stated that he was the architect for the project. He stated that the existing QuikTrip building would be renovated for a dentist's office and a second, new building will be built for the Starbucks.

Adam Stranieri stated that one concern for the area is the compatibility and consistency of building materials and colors with the desert landscape. He asked the applicant to elaborate on their concept. Mr. Ceja stated that materials and colors were changed from the original design to match the landscape around the property. He stated that the variation in materials keeps the building more interesting visually than if the building was all stucco.

Mr. Stranieri asked if the proposal was for an adaptive reuse of the existing convenience store building. Mr. Andrews stated that was correct. He added that they were bringing elements of the existing building to the new building for consistency. Mr. Stranieri asked if there was going to be a comprehensive facelift on the existing building. Mr. Andrews stated that was correct.

Mr. Stranieri stated, regarding Stipulations 1 and 2 for general conformance to the site plan and elevations, that the proposed use was less intense than the original proposed gas station and was more appropriate with the scale of development in the area. He added that it was consistent with what would be seen in C-1 and complemented nearby residences. He stated that the elevations meet the four sided architecture requirements and have appropriate enhanced materials.

Mr. Stranieri stated that when the QuikTrip was originally zoned it was part of a Planned Community District, where there was approved C-1 on the properties to the north and west. He stated that the adjacent properties have since been rezoned to R-2 and developed as multifamily residential. He stated that Stipulation 3, regarding cross access easements along the north and west property lines, would no longer be relevant. He stated that he had no concerns with the deletion of this stipulation.

Mr. Stranieri stated that the site was stipulated for signage, buildings, and the canopy to be developed with a similar architectural theme. He stated that the proposed accessory buildings from the stipulated site plan are no longer on the site. He stated that Stipulation 4, regarding architectural theme, is not relevant to the site now that the applicant is asking for conformance to new elevations.

Mr. Stranieri asked the applicant if they changed the language from referencing QuikTrip to referencing the dentist's office and Starbucks in Stipulation 5, regarding a comprehensive sign plan. Mr. Andrews stated that was correct. Mr. Stranieri stated that he had concerns with the additional language that references the price panel since the newly proposed elements would not have that element. He asked if the applicant had any concerns regarding the stipulation's requirements on the monument sign or existing height. Mr. Ceja stated that they had no concerns. Mr. Stranieri stated that he was inclined to remove the last sentence regarding the price panel, given that this was specific to the gas station sign, but noted that material considerations would be discussed further in the Comprehensive Sign Plan amendment.

Mr. Stranieri noted that the Street Transportation Department does not support the deletion of Stipulations 8 through 12. He stated that most of the right-of-way improvements are completed, but these types of stipulations are typically not removed in the event that any of the conditions change or the site is redeveloped. He noted that this doesn't impact the applicant if these stipulations remain if the required right-of-way improvements have already been finished.

Mr. Stranieri stated that Stipulations 13 through 16 are site-specific for the canopy. He added that these stipulations are common with rezoning cases for gas stations near residential uses. He stated that since the canopy will not be built there is no reason to retain the stipulations. He added that if the site was redeveloped with a canopy or similar element, the general conformance to the site plan would impact the proposal.

Mr. Stranieri stated that he was unclear regarding the original intent of Stipulation 17, regarding a conceptual site plan for single family development, because the stipulated site plan covered the entire subject area of the site. Additionally, the C-1 zoning district does not permit single-family residential uses by right. He stated that having final site plan approval is an Ordinance requirement and he saw no reason to retain the stipulation.

Mr. Stranieri stated that the 10 parking spaces referenced in Stipulation 18, were originally along the north property line in the stipulated site plan. He added that the cross-access easement had a revision for access to be provided to the proposed commercial to the north where these parking spots were proposed. Since residential was developed to the north instead of commercial, and the parking spaces had already been removed, he had no issue with the deletion of the stipulation.

FINDINGS

- 1) The stipulated site plan depicted an approximately 5,400 square foot gas station and convenience store occupying the entire subject property. The convenience

store and gas canopy were oriented towards Cave Creek Road. The QuikTrip that operated on the site closed in early 2015. The proposed conceptual site plan depicts an adaptive reuse of the convenience store building, repurposed as a professional office. Additionally, an approximately 2,400 square foot drive-through restaurant (Starbucks) is proposed along the south property line. No modification is proposed to the existing minimum 75-foot landscape setback along Cave Creek Road. The site plan includes a sidewalk along the north property line providing access to the office building, a pedestrian pathway from the office building to Deer Valley Road, and a pedestrian pathway from the office building to the restaurant. The proposal is consistent with the intent of the C-1 zoning district to provide neighborhood type retail and customer service uses designed to be compatible with each other and nearby residential districts.

- 2) The conceptual elevations include a variety of building materials including corrugated steel, shiplap siding, brick, and split-face block. The elevations depict architectural detailing and features on all sides of the buildings. The conceptual designs for the office and restaurant are compatible and complement each other, including similar materials and detailing, without being identical. The color palette includes earth tones and should be consistent with the desert character of the surrounding area.
- 3) Many of the stipulations proposed for modification in this request are specific to the original gas station use or were relevant to conditions prior to the development of the multifamily residential now adjacent to the north and west of the site. Stipulation 3 regarding cross-access to the north and west was intended to accommodate connectivity with potential commercial development in these locations at a time when these properties were zoned C-1 PCD. They have since been rezoned and developed under the R-2 zoning district. Stipulations 13-16 outline design considerations for a gas canopy. This canopy has been removed. Stipulation 18 discusses parking spaces that have since been removed from the site and are not proposed in the new conceptual site plan. These stipulations are recommended for deletion.
- 4) Additional modifications are suggested to the applicant's request regarding Stipulation 5 to remove references to the price panel on the signage. These considerations were specific to the gas station sign and are not relevant to the new proposed land uses or proposed signage. The property is separately stipulated to approval of a comprehensive sign package which will evaluate specific details of the new proposed signage.
- 5) The Street Transportation Department does not support the deletion of Stipulations 8-12 regarding right-of-way dedications for public streets, a busbay along Deer Valley Road, street improvements, ADA accessibility standards, and submittal of forms regarding the MAG Transportation Improvement Program. These stipulations are recommended to be retained.
- 6) Stipulation 17 required the developer to submit a conceptual site plan for single-family development for a portion of the site. This stipulation is recommended for

deletion as single-family residential is not permitted by right in the C-1 zoning district. Further, neither the original stipulated site plan nor the proposed conceptual plan depict any undeveloped, future phase, or otherwise unplanned areas.

DECISION: The Planning Hearing Officer recommended denial as filed and approval with modifications.

STIPULATIONS

1.	That THE development shall be in general conformance WITH to the site plan DATE STAMPED NOVEMBER 27, 2019 dated July 10, 2001, with regard to building location, setbacks, and landscaping as may be modified by the FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND Development Services Department (DSD).
2.	That THE development shall be in general conformance WITH to the elevationS plan dated April 12, 2001, with specific emphasis on the use of block support columns and recessed lighting. DATE STAMPED NOVEMBER 27, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3.	That cross access easements shall be provided along the north and west property line in the event that adjacent property is developed as non-residential use. The cost of extending the driveways shall be at the expense of the adjacent development.
4.	That tThe entire site shall be developed with A similar architectural theme. The theme should assure the building/canopy colors, elevations, exterior materials, landscaping, AND lighting and signage convey a sense of continuity throughout the development, as approved by THE PLANNING AND DEVELOPMENT DEPARTMENT DSD.
5.	That aA comprehensive sign package shall be developed for the site, as approved by THE PLANNING AND DEVELOPMENT DEPARTMENT DSD. That aAny ground sign shall be monument style. That a A 10-foot monument sign with a total height not to exceed 10 feet is allowed in the Cave Creek Road Scenic Corridor to be located at the EXISTING DRIVE CUT. drive cut to the Quik Trip station, and that Quik Trip will provide an additional 25 percent of desert landscaping which will be in keeping with the distinctive style and look of the Scenic Corridor. That the sign's price panel shall be a dark color that is internally illuminated and designed using appropriate cut faced stone veneer on the support structure.
Landscape/Screening	
6.	That tThe seventy-five foot landscape setback shall be landscaped with plants

	from Lists A, B and/or C from the "Area C and D Zoning Guidelines Manual Draft" dated September 1995 and shall be designated as a scenic landscape easement and not used for retention. Accent walls and only low scale directional signage may be allowed within the setback if determined appropriate by THE PLANNING AND DEVELOPMENT DEPARTMENT DSD.
7.	That The entire site SHALL be landscaped with desert plant material to complement the scenic corridor.
Streets	
8.	Right-of-way totaling 65 feet shall be dedicated for the north half of Deer Valley ROAD Drive.
9.	Right-of-way totaling 65 feet shall be dedicated for the west half of Cave Creek Road.
10.	Sufficient right-of-way shall be dedicated to accommodate a far-side busbay (Detail P-1256) on Deer Valley ROAD Drive at Cave Creek Road.
11.	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 City. All improvements shall comply with all ADA accessibility standards.
12.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program of the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
13.	That the red accent band on the canopy not be illuminated.
14.	That a minimum 5-foot horizontal relief be incorporated into the canopy as part of the architectural element.
15.	That recessed lighting on the underside of the canopy be flush with the canopy.
16.	That the split face columns run from ground to the underside of canopy.
17.	That the applicant provide a conceptual site plan for DSD review for the remaining portion of the site. The conceptual site plan shall be for single-family development.
18.	That the 10 parking spaces identified on the site plan dated July 10, 2001, shall be removed upon development of the adjacent parcel to the north. If the area is

	not developed within 24 months or the use is not one that would share an entrance, that those spaces be eliminated and replaced with landscaping.

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