

# Attachment B

Planning Hearing Officer Summary of July 17, 2019  
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## REPORT OF PLANNING HEARING OFFICER ACTION

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

July 17, 2019

### ITEM 3

### DISTRICT 7

#### SUBJECT:

Application #: Z-25-07-7 (PHO-1-19)  
Zoning: C-O  
Location: Northeast corner of 43rd Avenue and Baseline Road  
Acreage: 2.14  
Request: 1) Modification of Stipulation No. 1 regarding general conformance to the site plan, landscape plan, and elevations date stamped March 12, 2007.  
2) Modification of Stipulation No. 1b regarding building arrangement with tower element finished in faux rock and brick.  
3) Modification of Stipulation No. 1c regarding tile roofs.  
4) Modification of Stipulation No. 1i regarding plant palette.  
5) Technical corrections to Stipulation Nos. 2, 3, 4, 7, 8, 9, and 10.  
Applicant: Roberto Hernandez  
Owner: Lourdes Celaya  
Representative: Roberto Hernandez

### **ACTIONS**

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

Village Planning Committee (VPC) Recommendation: At its June 10, 2019 meeting, the Laveen Village Planning Committee recommended a continuance by an 11-0 vote. At its July 8, 2019 meeting, the Laveen Village Planning Committee recommended approval subject to the applicant's modifications by a 7-0 vote.

### **DISCUSSION**

Roberto Hernandez, applicant and representative, introduced the project architect, Roy Noggle. Mr. Noggle presented the request, which is for a medical clinic on the northeast corner of 43rd Avenue and Baseline Road. He explained that the request had been continued at the Laveen Village Planning Committee meeting to allow them to redesign the building to be more residential in character. He pointed out the main changes made to the elevations, which include sloping tile roofs, fewer wall signs, and the addition of monument signs that mimic the residential appearance of the main building. Further, the landscaping palette had been revised to include trees and shrubs that are more suitable for the desert environment and are more wind-resistant. He noted that the redesigned

elevations included more paint colors than originally proposed and that monument signs were redesigned to include tile roofs similar to the buildings.

Adam Stranieri thanked the applicant for agreeing to the Laveen Village Planning Committee's continuance request, addressing their concerns, and communicating with the Laveen Citizens for Responsible Development (LCRD). He noted that the revised plans had received unanimous approval at the second Village Planning Committee meeting. The Village Planning Committee recommendation was to approve the request per the applicant's modifications, but they did not specify specific revisions, so he based the discussion upon the revised narrative submitted to staff on July 16, 2019.

Mr. Stranieri addressed the request for modification of Stipulation No. 1, which sought to replace the stipulated plan with the proposed plan. Given the Village Planning Committee's unanimous approval of the new plans and the new site layout with the buildings close to the streetscape and parking wrapped around the back, he is inclined to approve this modification. He then addressed the request to modify Stipulation No. 1b, stating that there is no need to stipulate a rectangular shaped building, and that the general conformance stipulation will regulate the square footage, setbacks, and building height. Similarly, the narrative's reference to an articulated entry portal is unclear, as it will be provided through the stipulation regarding general conformance to the proposed elevations, which will require that the developer provide a primary entry feature offset by columns and with the pitched roof element shown on the elevations. He outlined the most important design elements present on the elevations, which include tower elements, a minimum of three building materials, brick or stone veneer, and the primary entry feature set off by a gable roof and columns.

Mr. Stranieri then addressed the request to add language regarding the monument signs, stating that this should be a separate stipulation. The proposed language stating that no more than two signs be placed on the property is unnecessary because Ordinance standards would not allow more than that. He stated that the proposed height restriction of 6 to 8 feet can be incorporated and that, for clarity, he recommended language that caps sign height at a maximum of 8 feet. Mr. Noggle stated that one of the Village Planning Committee members wanted the maximum height to be 4 feet, but that it was quite low for a monument sign. Mr. Stranieri agreed and stated that the Zoning Ordinance allows for a maximum sign height of 20 feet, which is why he would prefer to stipulate to what is shown in the proposed elevations, with the maximum sign height of 8 feet. Mr. Noggle asked if the 8 feet will be measured to the center of the slope of the roof, as the sign has a pitched roof design. Mr. Stranieri stated that this is the method to measure building height rather than sign height. Mr. Hernandez asked if they could stipulate to a maximum height of 10 feet to the highest point of the sign, to accommodate the sloped roof design. Mr. Stranieri replied that this would be acceptable due to the design of the signs and the general conformance stipulation regarding the elevations. He further explained that he will not stipulate to matching roof tiles on the sign to allow for some flexibility in building materials, stating that he would prefer to require compatibility to the design of the main building.

Mr. Stranieri then addressed Stipulation No. 1c, stating that the Village Planning Committee wanted to see the inclusion of pitched, hip or gable roofs, as well as specific

materials for the roofs, so the new stipulation language will include these elements. He explained that this will require that all architecture be consistent throughout the site should any future additions or outbuildings be constructed.

Mr. Stranieri then stated that Stipulation No. 1i contains an extremely specific ratio of plants, and that he is not inclined to retain this language. He stated that Stipulation No. 1 requires general conformance to a landscape plan and that this will be sufficient to address landscaping requirements for the site. He noted that the new landscape plan was supported by the Village Planning Committee and the LCRD, and it provides a more diverse plant palette that is compatible with desert landscaping.

## **FINDINGS**

- 1) The stipulated site plan depicted two office buildings, each approximately 5,000 square feet, located along the west and south perimeter of the site. The stipulated elevations depicted a single-story building with pitched roof elements, brick or stone veneer, and variation in window sizes and types. The proposed conceptual site plan depicts a single 8,696 square foot office building oriented towards the south property line. The proposed conceptual elevations retain the pitched roof and brick or stone elements and add metal roof details and an articulated entry portal. The proposed conceptual landscape plan includes a revised plant palette with more drought-tolerant and desert-themed plants. The applicant submitted revised plans at the hearing that reflect the input and concerns raised at the Laveen Village Planning Committee meeting. The revised plans represent a modest diversion from the original stipulated plans and are consistent with commercial and office developments in the surrounding area.
- 2) The additional stipulation regarding monument signage is recommended at the request of the applicant who revised the design of the signs in response to concerns raised at the Laveen Village Planning Committee meeting. The height restriction and design requirements are intended to mitigate the impact of the sign and ensure its compatibility with the design of the buildings on-site and provide consistency with the character of development in the surrounding area.
- 3) Revised stipulation language regarding building materials and roof design is recommended at the request of the applicant who revised their conceptual elevations in response to concerns raised at the Laveen Village Planning Committee meeting. The use of brick and stone veneer, alternative roof designs, and tile and metal roof materials is consistent with developments in the surrounding area and expresses a rural or agricultural character desired by the Committee.

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

## **STIPULATIONS**

GENERAL	
1.	That THE development shall be in general conformance with the site plan DATE STAMPED APRIL 2, 2019, AND landscape plan, and elevations date stamped JULY 8, 2019 <del>March 12, 2007</del> , as modified by the following stipulations, and approved by the PLANNING AND Development Services Department, with specific regard to the following design elements (as proposed):
a.	Meandering alignment for the multi-use trail.
b.	BUILDING MATERIALS SHALL INCLUDE BRICK AND STONE VENEER. <del>L-shaped building arrangement with tower element finished in roof and brick.</del>
c.	PITCHED, HIP, OR GABLED ROOFS, ELEMENTS OR FACADES SHOULD BE INCORPORATED IN ALL BUILDINGS. ROOF MATERIALS SHALL INCLUDE TILE AND STANDING SEAM METAL ACCENT ROOFS. <del>Tile roofs.</del>
d.	Covered walkways.
e.	50-foot building setback for the Baseline Road Scenic Corridor.
f.	Shaded pedestrian amenity visible from Baseline Road.
g.	2-foot CMU/4-foot railing perimeter wall.
h.	57 parking spaces (maximum).
i.	<del>28 mesquites (minimum), 6 Palo Brea (minimum), 11 Acacias (minimum), and 11 multi-trunk Willows (minimum).</del>
2.	That the sections of drive aisle which cross the multi-use trail alignment shall be finished (a minimum width of 2 feet on either side of the trail alignment) with an alternative finishing material such as bricks or scored pavers, which provides a contrast in texture and color with the adjacent drive aisle finish, as approved by the PLANNING AND Development Services Department.
3.	The light fixtures (wall mounted, pole mounted, or other) shall not exceed a height of 15 feet, as approved by the PLANNING AND Development Services Department.
4.	MONUMENT SIGNS SHALL BE LIMITED TO A MAXIMUM HEIGHT OF 10 FEET. MONUMENT SIGN DESIGNS SHALL BE COMPATIBLE WITH THE BUILDING ELEVATIONS DATE STAMPED JULY 8, 2019 AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

PARKS AND RECREATION	
5. 4.	That the developer shall dedicate a 30-foot multi-use trail easement and construct a 10-foot multi-use trail along Baseline Road, as approved by the PLANNING AND Development <del>Services</del> Department.
ARCHAEOLOGY	
6. 5.	That in the event archaeological material is 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.
AVIATION	
7. 6.	That the property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.
TRANSIT	
8. 7.	That right-of-way shall be dedicated, and a bus bay (detail P1256-1) and transit pad (detail P1261) shall be constructed on 43rd Avenue at Baseline Road, as approved or modified by the PLANNING AND Development <del>Services</del> Department.
STREET TRANSPORTATION	
9. 8.	That right-of-way totaling 60 feet shall be dedicated for the north half of Baseline Road, as approved by the PLANNING AND Development <del>Services</del> Department.
10. 9.	That right-of-way totaling 55 feet shall be dedicated for the east half of 43rd Avenue, as approved by the PLANNING AND Development <del>Services</del> Department.
11. 10.	That a 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast corner of 43rd Avenue and Baseline Road, as approved by the PLANNING AND Development <del>Services</del> Department.
12.	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.

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