

Attachment D

PLEASE RESPOND ELECTRONICALLY TO BRAD WYLAM 2ND FLOOR, 602-256-3322



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned **Date:** September 14, 2022
From: Alan Stephenson
Planning & Development Department Director
Subject: **P.H.O. APPLICATION NO. PHO-5-22--Z-6-04-7** – 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 **October 19, 2022**.
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 **September 21, 2022**.

DISTRIBUTION

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City Council (Sina Matthes, Tony Motola), 11th Floor
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Street Transportation Department (Maja Brkovic, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor
Street Transportation - Floodplain Management (Kristina Jensen, Elise Moore, Rudy Rangel), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Alan Stephenson, Joshua Bednarek), 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 (Tricia Gomes, Adam Stranieri, Brad Wylam), 2nd Floor
Village Planner (Nayeli Sanchez Luna, Estrella Village)
Village Planning Committee Chair (Mark Cardenas, Estrella Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-5-22--Z-6-04

Council District: 7

Request For: Stipulation Modification

Reason for Request: Review of commercial elevations per Stipulation 7. Technical corrections to Stipulations 1, 3, 4, 8, and 9.

Owner	Applicant	Representative
QuikTrip Corporation 5725 Foxridge Drive Mission KS 85016 (480) 446-6318 jnaut@quiktrip.com	SimonCRE C90 III LLC 6900 East 2nd Street Scottsdale AZ 85251 (480) 805-1543 christian.orr@simoncre.com	RKAA Architects Inc. 2233 East Thomas Road Phoenix AZ 85016 P: (602) 955-3900 F: pvickers@rkaa.com

Property Location: Approximately 300 feet east of the southeast corner of 107th Avenue and Lower Buckeye Road

Zoning Map: E-2 Quarter Section: 6-3 APN: 101-25-002J Acreage: 1.26

Village: Estrella

Last Hearing: PHO MEETING

Previous Opposition: No

Date of Original City Council Action: 06/02/2004

Previous PHO Actions: 04/13/2005 04/19/2017 02/16/2022 230 AM

Zoning Vested: C-2

Supplemental Map No.: 1096 1096

Planning Staff: 071773

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.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

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

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,080.00	\$0.00	08/31/2022	22-0078252	Original Filing Fee

Signature of Applicant: _____ DATE: _____

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>10/19/2022 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

August 25, 2022

Kerrys – SEC 107th Ave & Lower Buckeye
KIVA 21-3370
SEV # 2200257
PAPP # 2204286

PHO – Written Request

This request is for exterior elevation approval pursuant to Z-6-04 stipulation #7
“Commercial elevations shall be reviewed and approved through the PHO process prior to preliminary site plan approval” – see complete stipulation text at end of this document

The proposed project is an automotive repair shop on approximately 1.05 acres of undeveloped land, southeast of the intersection of West Lower Buckeye Rd and 107th Ave in Phoenix, AZ. To support the growth of the City of Phoenix, we are proposing to add an additional service to the area that both we and our tenant see as a great fit for the community.

The proposed development will be approximately 7,224 square feet. There will be 6 entrances to the repair area that will include 8 bays.

Similar to the QT located just West of our site, our development will include enhanced features such as raised cornice entry and modern materials to create a well-designed building. We realize that we are in an area of high design standards and we will do our best to ensure that we meet the design requirements of the City of Phoenix.



2233 East Thomas Road
Phoenix, AZ 85016
Office: (602) 955-3900
rkaa.com

1151 Dove Street, Suite #175
Newport Beach, CA 92660
Office: (949) 954-8785

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Minnesota
Mississippi
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Montana
Nebraska
Nevada
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New York
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Pennsylvania
South Carolina
South Dakota
Tennessee
Texas
Utah
Virginia
Washington
West Virginia
Wisconsin
Wyoming

Principals:

Robert W. Kubicek, CEO
Neil A. Feaser, President
Steve Nosal, Executive VP
Kathleen D. Rieger, VP
Randy E. Haislet, VP



City of Phoenix
PLANNING DEPARTMENT

SCANNED

June 4, 2004

Brad Chelton
Engle Homes Arizona
3150 S 48th Street Suite 100
Phoenix AZ 85040

RE Z-6-04-7 Southeast corner of 107th Avenue and Lower Buckeye Road

Dear Applicant

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 B 4 of the Zoning Ordinance as amended has on June 2 2004 concurred in the recommendation of the Planning Commission and the Zoning Hearing Officer and has ratified on Consent Agenda Application Z-6-04-7 from RE 43 S-1 to R1-8 PRD C-2 approximately 79 11 acres subject to the following stipulations

STIPULATIONS

Trails and Landscaping

TC

- 1 That the development shall conform to the Estrella Village Arterial Street Landscaping program that specifically provides landscaping requirements for Lower Buckeye Road defined in the plan as a village parkway
- 2 That the developer shall provide a 30 foot wide public trail easement along the east side of 107th Avenue and along the south side of Lower Buckeye Road exclusively for public utility easement trail and landscaping unless modified by the Parks and Recreation Department

Residential

TC

- 3 That the single-family development shall be in general conformance to the site plan date stamped January 15 2004 as approved or modified by Development Services Department

- TC 4 That a minimum 40 x 40 foot triangular landscape entry area be provided on each corner at the main entrance to the residential subdivision to be located on 107th Avenue as approved or modified by Development Services Department
- 5 That open space amenities shall be located outside of retention areas
- 6 That the property owner shall record documents that disclose to purchasers of the property within the development the existence and potential characteristics of the Tolleson Wastewater Treatment Plant and the Phoenix Goodyear Airport The form and content of such documents shall be reviewed and approved by the city attorney

Commercial

- Review 7 That the commercial elevations shall be reviewed and approved through the Planning Hearing Officer process prior to preliminary site plan approval with the Development Services Department
- TC 8 That the commercial site shall be developed with a similar architectural theme The theme shall assure that the building and canopy colors elevations exterior materials landscaping lighting and signage convey a sense of continuity throughout the development A master architectural theme shall be provided before preliminary site plan approval of the first building as approved or modified by Development Services Department
- TC 9 That the development shall conform to the Estrella Village Arterial Street Landscaping program that specifically requires an entry feature on the southeast corner of 107th Avenue and Lower Buckeye Road designated as a gateway intersection in the plan

Street Improvements

- 10 That a right-of-way totaling 55 feet shall be dedicated for the south half of Lower Buckeye Road
- 11 That a right-of-way totaling 55 feet shall be dedicated for the east half of 107th Avenue
- 12 That 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 city All improvements shall comply with all ADA accessibility standards

Ratification for Z-6 04-7
June 4 2004
Page 3



City of Phoenix
PLANNING DEPARTMENT

SCANNED

- 13 That the applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department
This form is a requirement of the EPA to meet clean air quality requirements

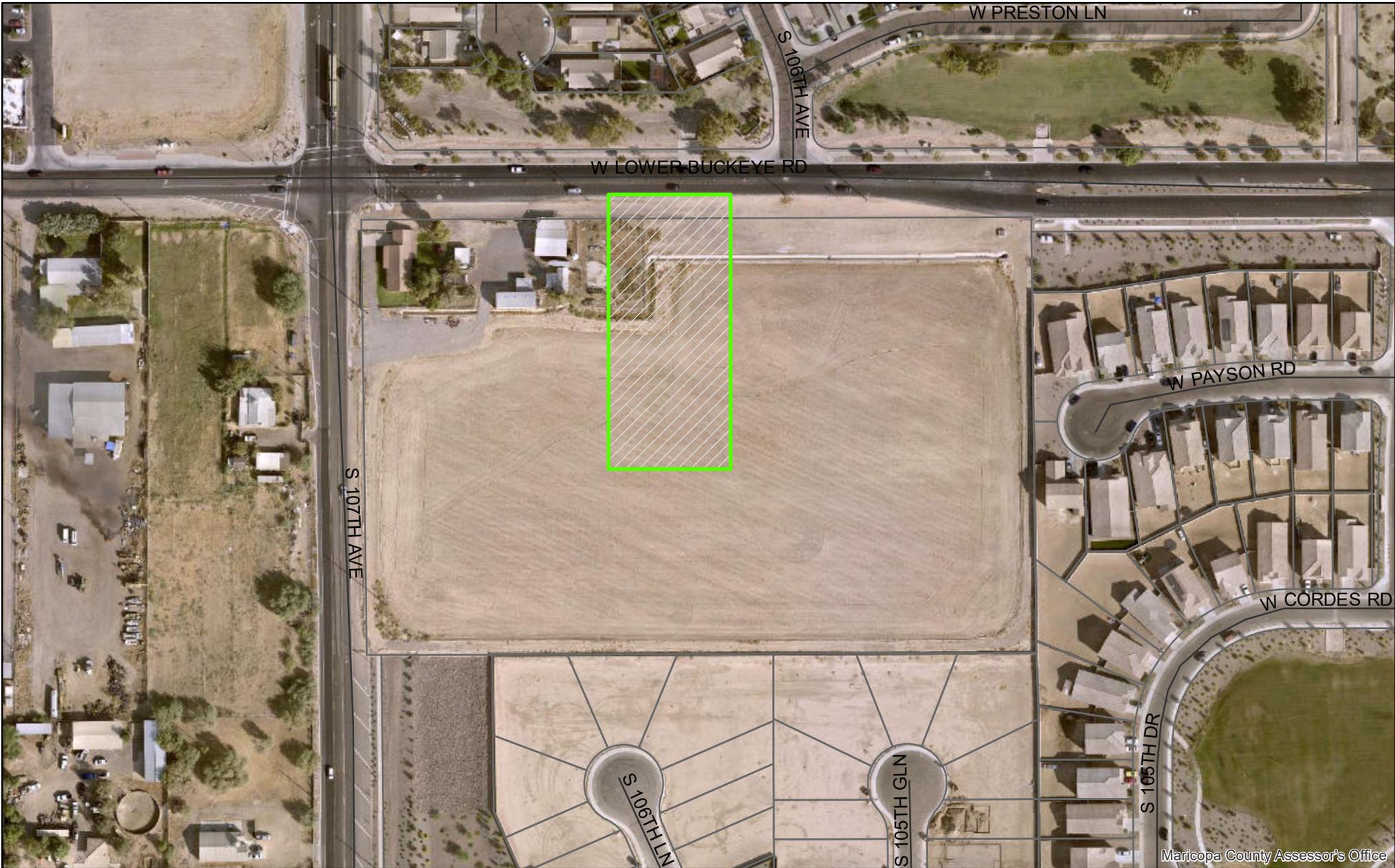
Development and use of the site is still subject to all applicable codes and ordinances

Sincerely

A handwritten signature in black ink, appearing to read "Bernadine Alling".

Bernadine Alling
Planner II

cc City Clerk
Files
Bernadine Alling (email)
Ben Leonard Public Transit (email)
Kelly Kvetko, Site Planning(email)
Kenneth Black (email)
M Dahlke – Pew & Lake PLC
Sean Lake – Pew & Lake PLC
Jay Neville (email)
Book
Dave Barrier DSD (email)
Victor Morrison-Vega NSD (email)
Bob Luxton, Sign Enf (email)
Lynn West (email)



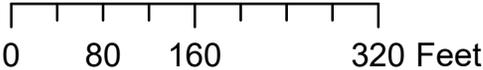
Maricopa County Assessor's Office

PHO-5-22--Z-6-04-7

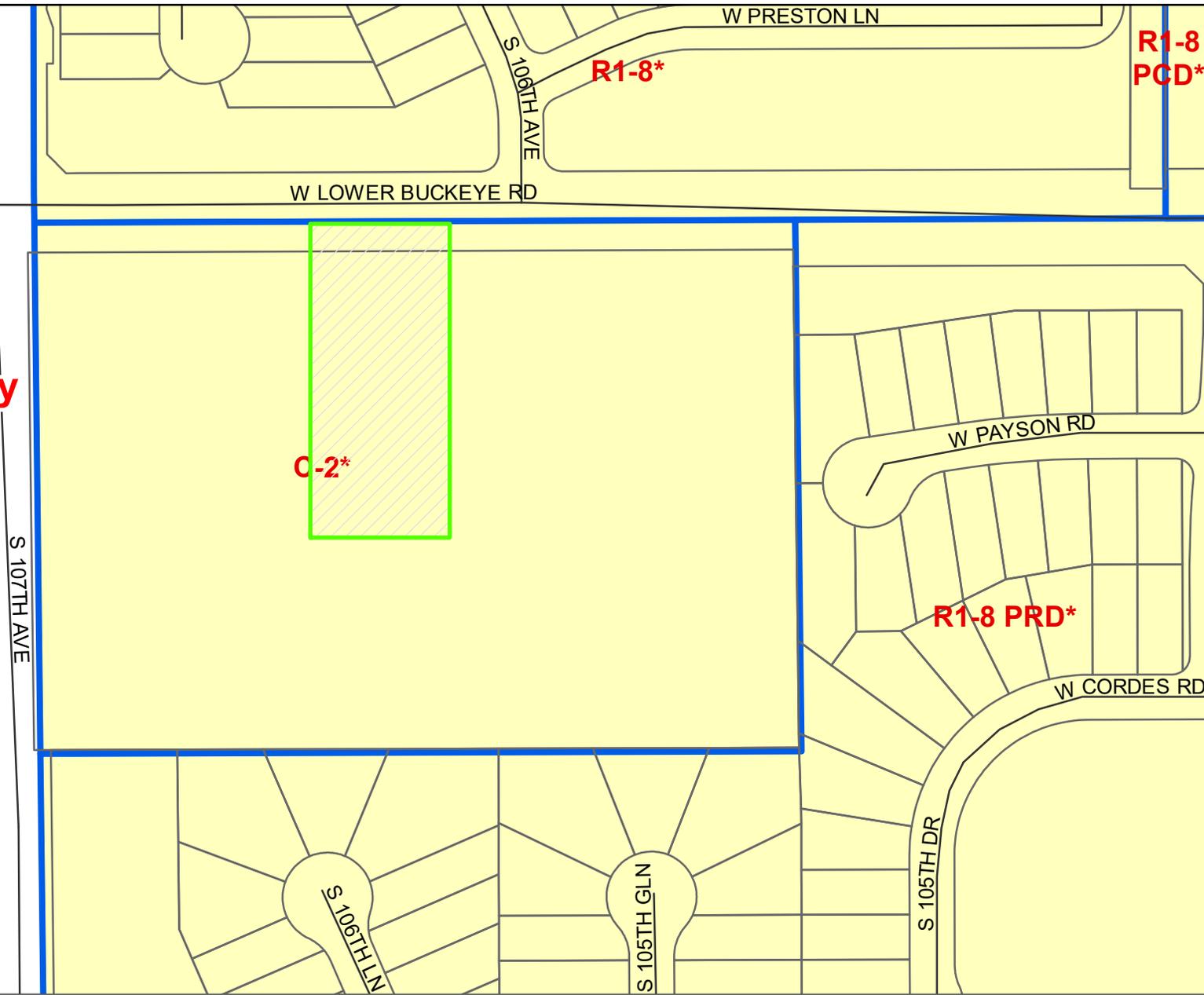
Property Location: Approximately 300 feet east of the southeast corner of 107th Avenue and Lower Buckeye Road



Planning & Development Department



Maricopa County



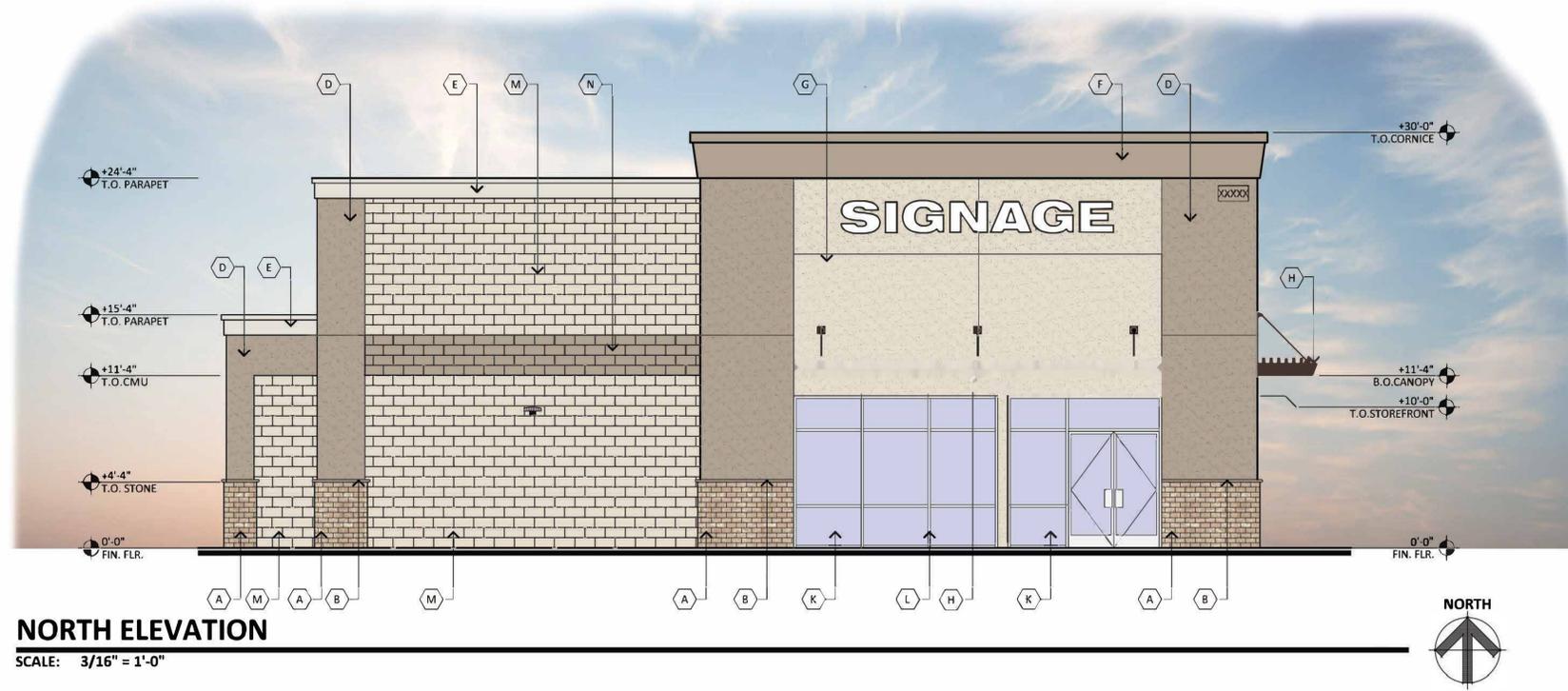
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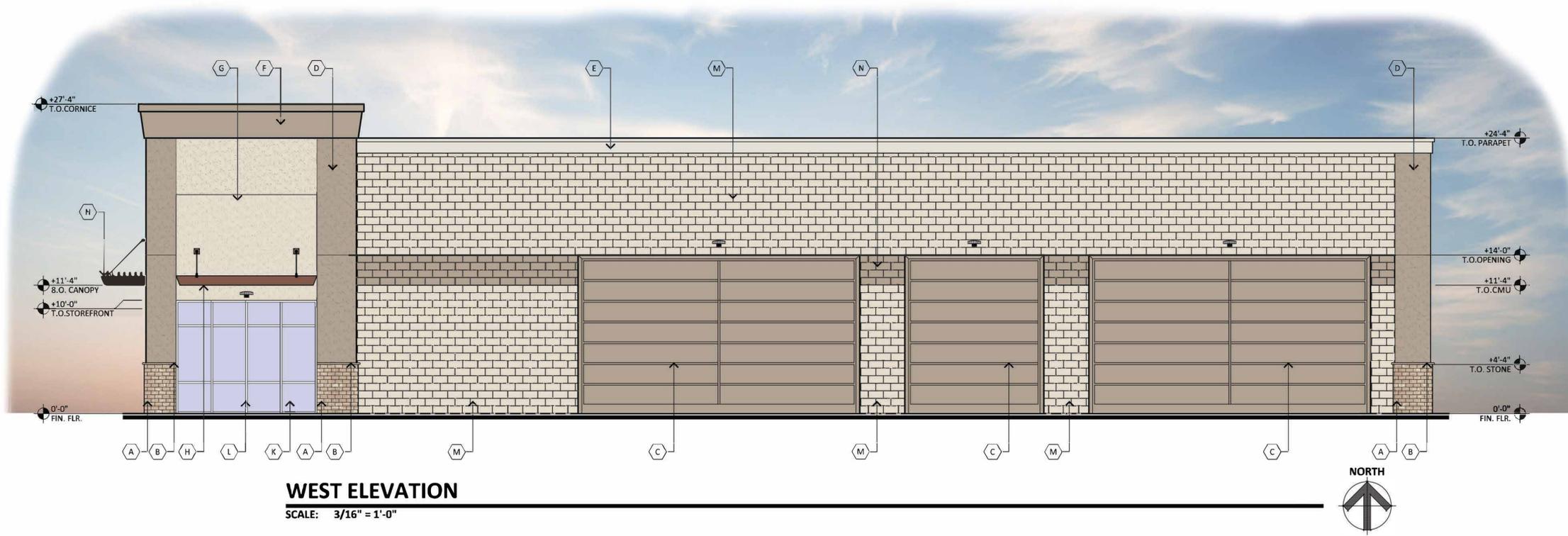


NORTH ELEVATION

SCALE: 3/16" = 1'-0"

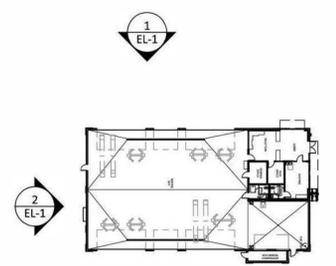
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SPEC : THIN BRICK
COLOR : COTTONWOOD
- B CONCRETE CAP:**
SPEC : PRE-CAST
COLOR : PAINT SW7038
- C OVERHEAD DOOR:**
TYPE : GARAGE DOOR
SPEC : SECTIONAL OVERHEAD
FINISH : SW7038 - TONY TAUPE OR EQUAL
- D STUCCO: PAINTED STUCCO**
FINISH : FINE SAND
MFG : SHERWIN WILLIAMS
COLOR : SW7038 - TONY TAUPE
- E PARAPET CAP FLASHING:**
FINISH - PAINT
MFG - SHERWIN WILLIAMS
COLOR - SW6070 - HERON PLUME
- F PARAPET FOAM CORNICE:**
FINISH - PAINT
MFG - SHERWIN WILLIAMS
COLOR - SW7038 - TONY TAUPE
- G STUCCO: PAINTED STUCCO**
FINISH : FINE SAND
MFG : SHERWIN WILLIAMS
COLOR : SW6105 - DIVINE WHITE
- H METAL CANOPY & TIE RODS:**
FINISH - PAINT
MFG - BENJAMIN MOORE
COLOR - BM2096 - GRANDFATHER
CLOCK BROWN
- I HOLLOW METAL DOORS:**
FINISH - PAINT
MFG - SHERWIN WILLIAMS
COLOR - SW6105 - DIVINE WHITE
- J STOREFRONT GLAZING:**
SPEC - 1" INSULATED - SOLARBAN 60 OR EQUAL
- K ALUMINUM STOREFRONT:**
FINISH - PRE-FINISHED
MFG - KAWNEER OR EQUAL
COLOR - DARK BRONZE
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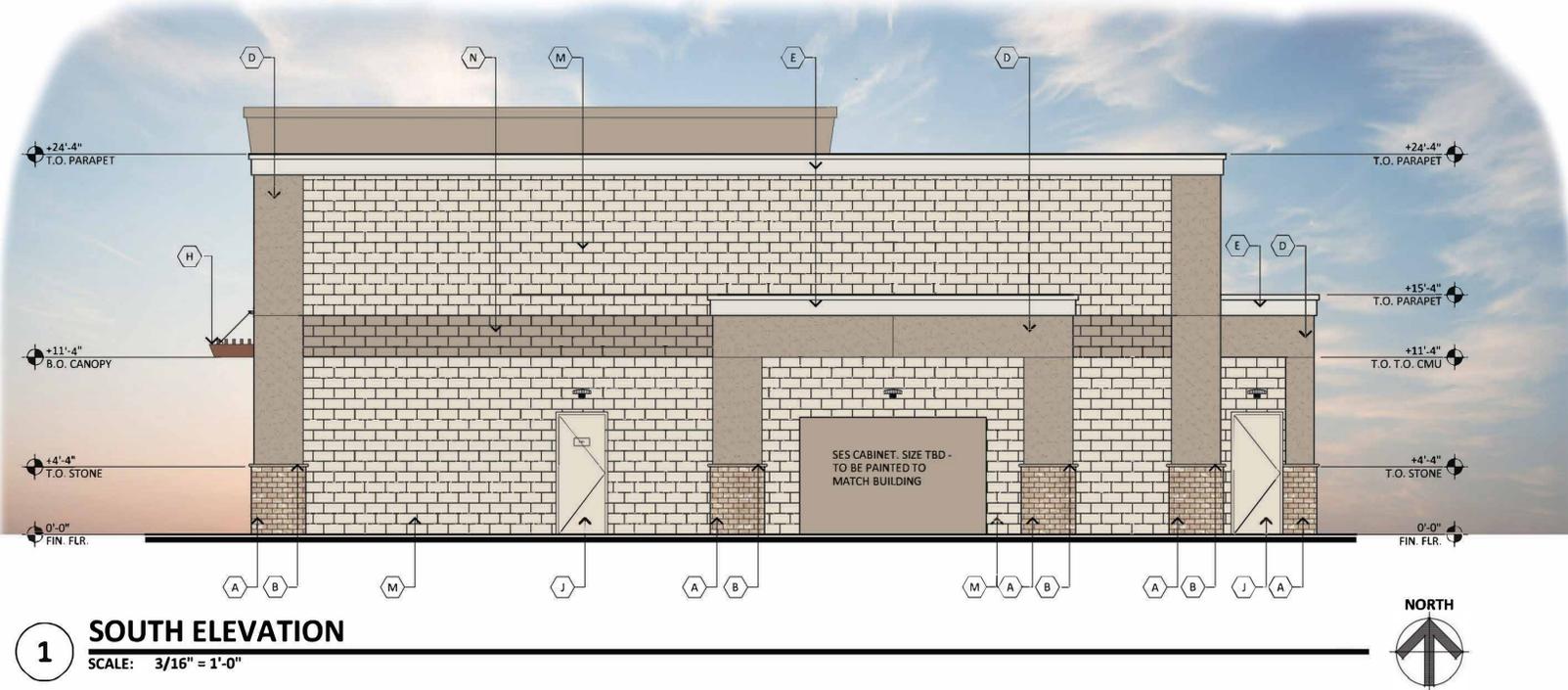
WEST ELEVATION

SCALE: 3/16" = 1'-0"



KEYPLAN
SCALE:

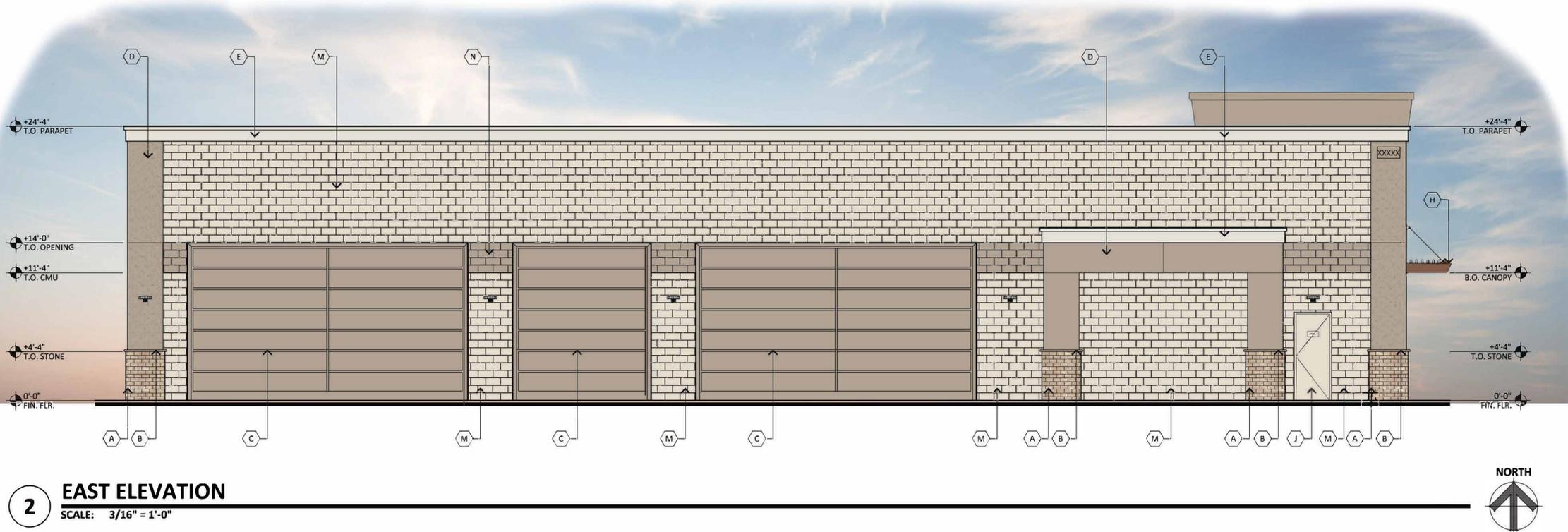
CITY OF PHOENIX
AUG 31 2022
Planning & Development
Department



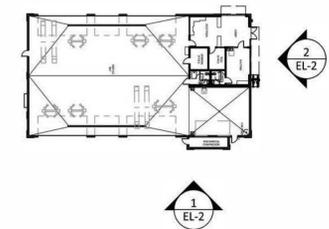
1 SOUTH ELEVATION
SCALE: 3/16" = 1'-0"

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2 EAST ELEVATION
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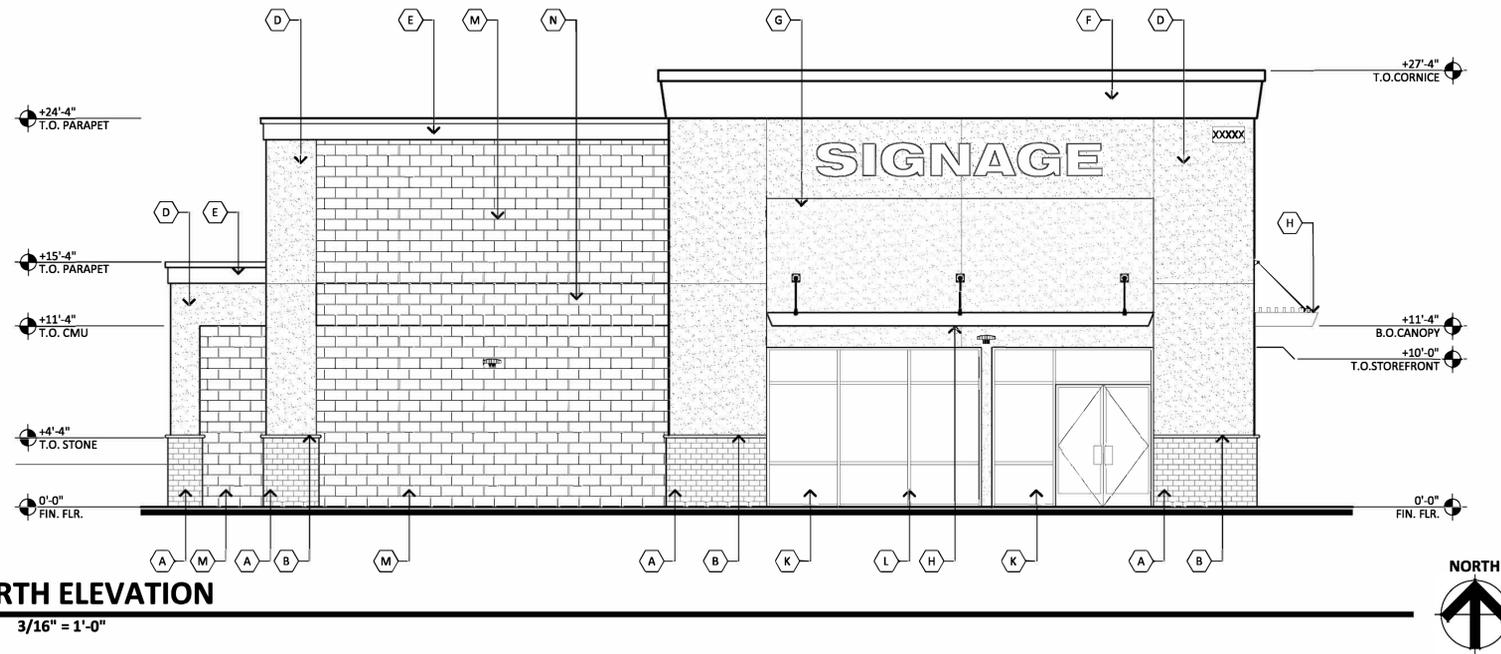
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CITY OF PHOENIX

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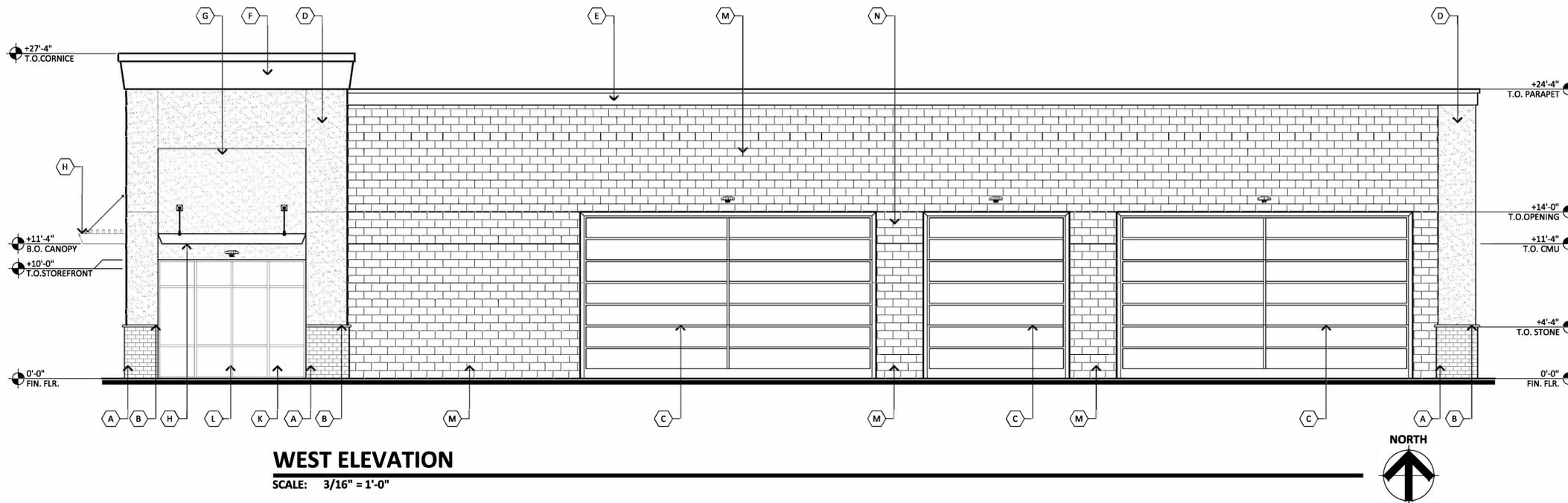
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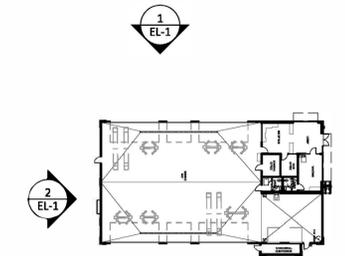
NORTH ELEVATION
SCALE: 3/16" = 1'-0"

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WEST ELEVATION
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CITY OF PHOENIX

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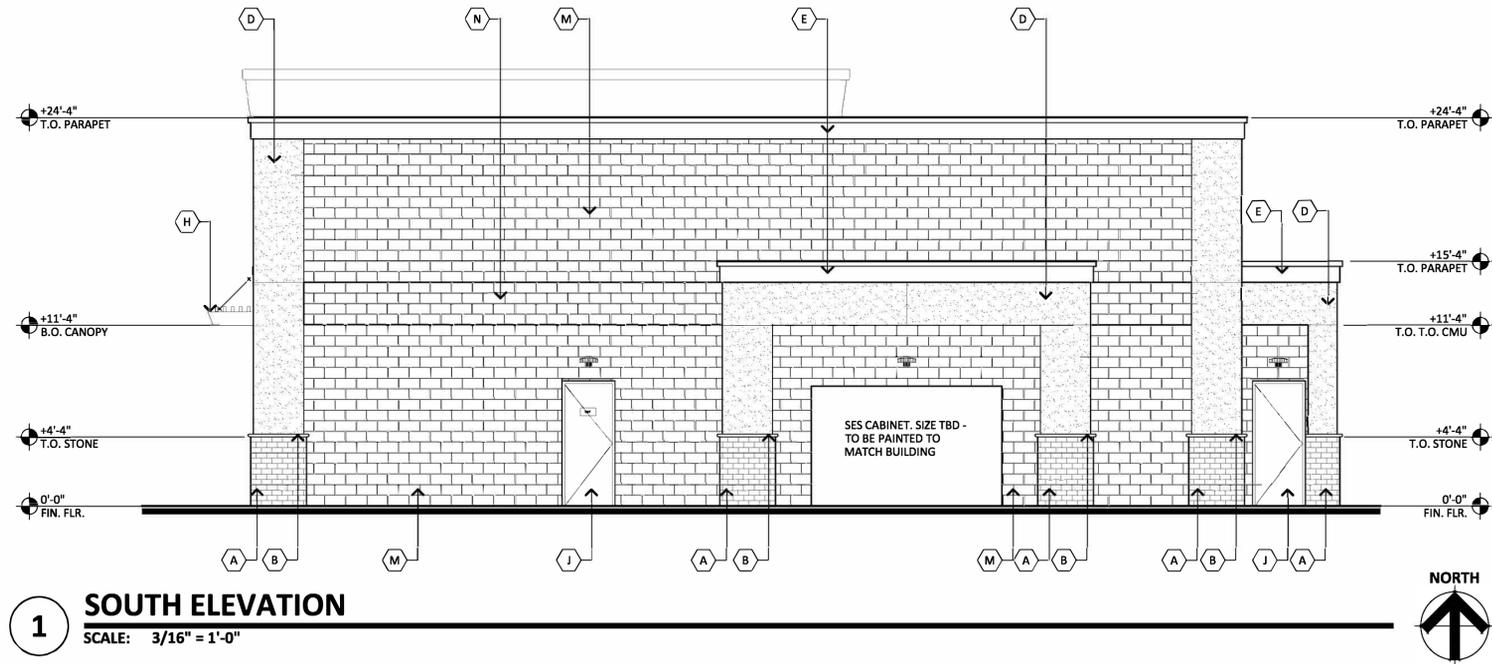
KERRY'S CAR CARE
SEC 107TH AVE AND LOWER BUCKEYE
PHOENIX, AZ
DATE: 08-23-2022 (PRELIMINARY)

EL-1

RKAA# 22128.00

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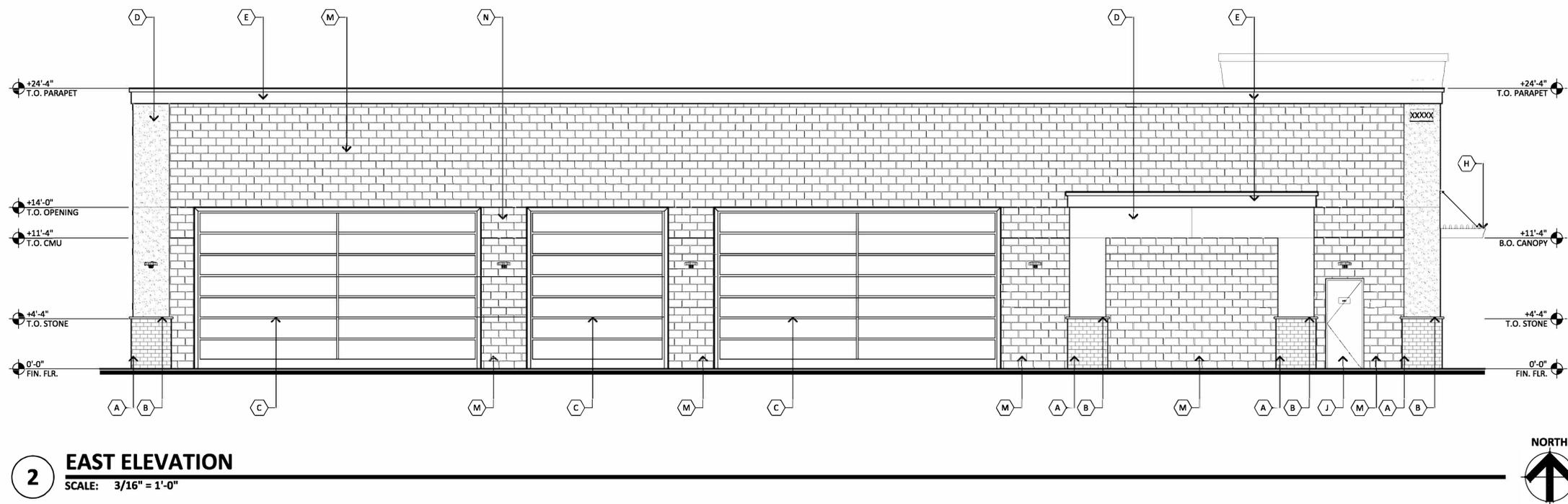
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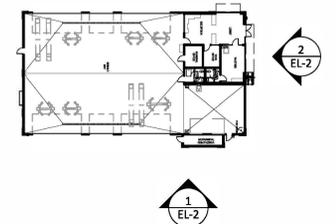
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SCALE: 3/16" = 1'-0"

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2 EAST ELEVATION
SCALE: 3/16" = 1'-0"



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SCALE:

CITY OF PHOENIX

AUG 31 2022

Planning & Development
Department



KERRY'S CAR CARE
SEC 107TH AVE AND LOWER BUCKEYE
PHOENIX, AZ
DATE: 08-23-2022 (PRELIMINARY)

EL-2

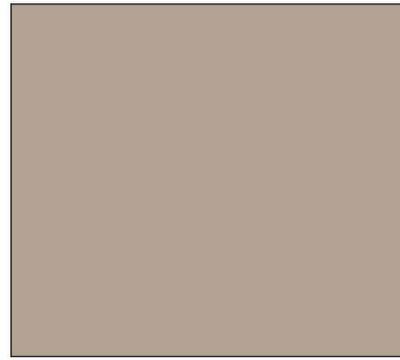
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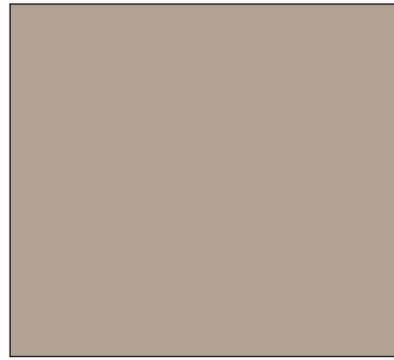
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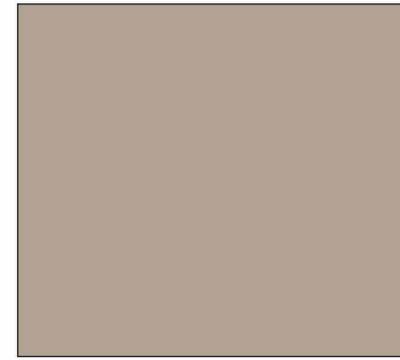
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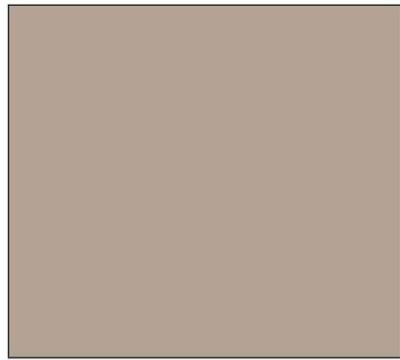
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E PARAPET CAP FLASHING:
FINISH - PAINT
MFG - SHERWIN WILLIAMS
COLOR - SW6070 - HERON PLUME



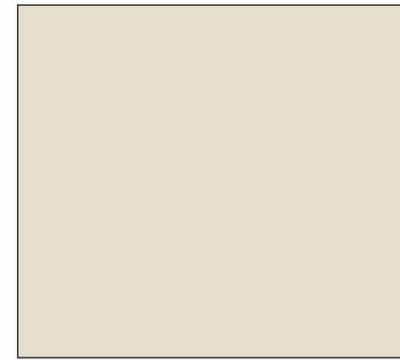
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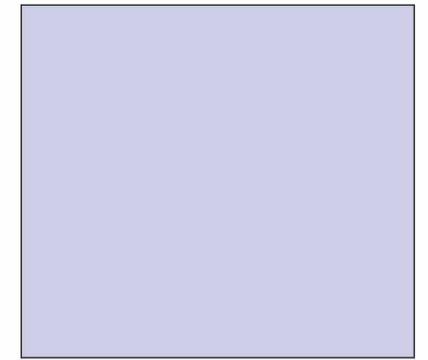
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H METAL CANOPY & TIE RODS:
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J HOLLOW METAL DOORS:
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MFG - SHERWIN WILLIAMS
COLOR - SW6105 - DIVINE WHITE



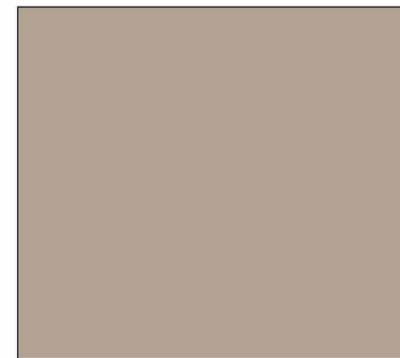
K STOREFRONT GLAZING:
SPEC - 1" INSULATED - SOLARBAN 60 OR
EQUAL



L ALUMINUM STOREFRONT:
FINISH - PRE-FINISHED
MFG - KAWNEER OR EQUAL
COLOR - DARK BRONZE



M 8X8X16 CMU:
FINISH - SMOOTH
MFG - SUPERLITE
COLOR - PAINT SW6105



N 8X8X16 CMU:
FINISH - SMOOTH
MFG - SUPERLITE
COLOR - PAINT SW7038

CITY OF PHOENIX

AUG 31 2022

**Planning & Development
Department**

June 2, 2004

PETITIONS, COMMUNICATIONS AND PUBLIC HEARINGS

MOTION was made by Mrs. Bilsten, **SECONDED** by Mr. Lingner, that Items 46A-B and 47B-D be granted as recommended (47C for denial). **MOTION CARRIED UNANIMOUSLY.**

Item 47A was heard following the above noted items.

ITEM 46 **DISTRICTS 3 AND 7** **ZONING CASES SCHEDULED
FOR RATIFICATION OF
PLANNING COMMISSION
ACTION**

The Council heard request to approve recommendations made on the following zoning matters which were heard by the Zoning Hearing Officer on April 5, 2004. The cases were ratified by the Planning Commission on Wednesday, May 12, 2004.

DISTRICT 3
14TH STREET AND BELL ROAD
OWNER: BELL VENTURE
LIMITED PARTNERSHIP
REPRESENTATIVE: STEPHEN
ANDERSON, GAMMAGE AND
BURNHAM

- A. Application: Z-145-03-3
 Request: Rezone from CP/GCP to R-3A; Acreage: 9.83
 Location: Approximately 342 feet south of the southeast corner of
 14th Street and Bell Road
 Proposal: Residential condominiums

The Deer Valley Village Planning Committee reviewed this request on March 18, 2004, and recommended approval (vote 9-0).

The Planning Commission concurred with the Zoning Hearing Officer and recommended this request be approved, subject to stipulations modified by the Zoning Hearing Officer.

June 2, 2004

DISTRICT 7
107TH AVENUE AND LOWER
BUCKEYE ROAD
OWNER: BRAD CHELTON,
ENGLE HOMES ARIZONA
REPRESENTATIVE: MICHELLE
DAHLKE, PEW AND LAKE PLC

- B.** Application: Z-6-04-7
Request: Rezone from RE-43, S-1 to R1-8 PRD, C-2; Acreage: 79.11
Location: Southeast corner of 107th Avenue and Lower Buckeye Road
Proposal: Single-family residential and commercial

The Estrella Village Planning Committee reviewed this request on March 2, 2004, and recommended approval (vote 6-0).

The Planning Commission concurred with the Zoning Hearing Officer and recommended this request be approved with staff stipulations.

**ITEM 47 DISTRICTS 2, 4 AND 7 ZONING CASES SCHEDULED
FOR RATIFICATION OF
PLANNING COMMISSION
ACTION**

The Council heard request to approve recommendations made on the following zoning matters which were heard by the Zoning Hearing Officer on April 19, 2004. The cases were ratified by the Planning Commission on Wednesday, May 12, 2004.

DISTRICT 2
23RD STREET AND ALAMEDIA
ROAD
OWNER: JOHN RYGH,
NEWCOR DEVELOPMENT LLC
REPRESENTATIVE: MIKE
NEWSOME, NEWCOR
DEVELOPMENT LLC

- B.** Application: Z-14-04-2
Request: Rezone from S-1 to R1-8; Acreage: 10.31
Location: 335 feet south of the southeast corner of 23rd Street and Alameda Road
Proposal: Custom Home Subdivision

154479

CITY OF PHOENIX

CITY CLERK DEPT.

2004 JUN 16 AM 9:43

Planning Commission
4:00 p.m. Briefing Session
Hearing Room C, First Floor, City Hall
200 West Washington Street

May 12, 2004

Commission

Staff

Other

Mr. Bob Frank, Chairman
Mr. Bob Ford, Vice Chair
Mr. Don Keuth
Mr. Mo Stein
Dr. Joan Kelchner
Ms. Melissa Gallegos
Ms. Patty Felts

David Richert
Jim Hansen
Michelle Dodds
Jan Hatmaker
Dean Brennan
Nona Baheshone

Frank Dolasinski
Sandra Zwick
David Cavazos

Mr. Hart – absent
Mr. Amery – absent

I. APPROVAL OF MINUTES: For correction or approval, the Planning Commission minutes of Transit Oriented Development on April 5, 2004

Mr. Keuth made a MOTION to approve the April 5, 2004 TOD minutes.

Ms. Gallegos SECONDED.

Approved by a vote of 7-0 [Hart and Amery absent].

II. RATIFICATION OF ZONING HEARING OFFICER AGENDAS OF APRIL 5, 2004 AND APRIL 19, 2004

April 5, 2004

Mr. Keuth made a MOTION to ratify:

Item 1 (Z-145-03-3),
Item 3 (Z-6-04-7).

Ms. Gallegos SECONDED.

MOTION PASSED by a vote of 7-0 [Hart and Amery absent].

8.	<p><u>Presentation, discussion and possible action regarding Rezoning Application Z-6-04-7 located at the southeast corner of 107th Avenue and Lower Buckeye Road. Request to rezone 77.86+/- acres from RE-43 and S-1 to residential R1-8 PRD and C-2 for commercial. This item is scheduled for a Zoning Hearing Officer hearing on March 15, 2004, and Planning Commission on April 14, 2004.</u></p> <p>Shawn Lake presented. The project will be 2.5 du/acre with 145-160' deep lots. The developer will be meeting with Tolleson High School.</p> <p>Approved 6-0</p>
9.	<p><u>Presentation, discussion, and possible action regarding the work program.</u></p> <p>Rachael presented the work program for the year. Similar to the Laveen Village, Peggy would like to put together a plan to present to developers which expresses the desires of the residents.</p>
10.	<p><u>Discussion and possible action regarding the cancellation of the Estrella Village Planning Committee July meeting.</u></p> <p>The July meeting will be cancelled.</p>
11.	<p><u>Status report on projects, zoning cases, text amendments, general plan amendments and pending legislation.</u></p> <p>Rachael reminded committee members of the CLI conference to be held on 3/12. Randall submitted a letter to nominate Peggy for an award.</p>
12.	<p><u>Future agenda items.</u></p> <ul style="list-style-type: none">• Rezoning case Z-136-03-7 for Onyx Special Services is scheduled for the April meeting. <p>It was noted that Onyx has been in compliance since it's opening.</p>
13.	<p><u>Adjournment.</u></p> <p>Adjourned at 8:30 pm</p>