

Attachment C

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

December 16, 2020

ITEM NO: 2

DISTRICT 7

SUBJECT:

Application #: PHO-1-20--Z-36-17-7
Zoning: CP/GCP
Location: Southwest corner of 103rd Avenue and Buckeye Road
Acreage: 20.13
Request: 1) Review and approval of site plan and elevations by the
Planning Hearing Officer per Stipulation 9.
Applicant: Adam Baugh, Withey Morris, PLC
Owner: Virtua Buckeye 103 LLC
Representative: Adam Baugh, Withey Morris, PLC

ACTIONS

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

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee heard this case on December 15, 2020 and recommended approval with a modification by a 5-0 vote.

DISCUSSION

Adam Baugh, applicant and representative with Withey Morris, PLC, provided history of the site. He stated that the original rezoning case, Z-36-17, has a stipulation requiring that the site plan and elevations be reviewed and approved by the Planning Hearing Officer (PHO) prior to preliminary site plan approval. He stated that they are going through the PHO process to comply with the stipulation.

Mr. Baugh stated that there is an office component on each side of the building. He added that the design of the building is articulated with colors and materials. He stated that the conceptual site plan from 2017 depicted 4 buildings with 4 driveways on Buckeye Road and 2 driveways on 103rd Avenue. He stated that the new proposed plan had reduced impact by providing one building, decreasing the number of driveways from 6 to 4, and providing greater setbacks.

Mr. Stranieri asked for clarification regarding the concerns raised regarding lighting during the Estrella Village Planning Committee (VPC) meeting. Mr.

Baugh stated that 90% of the lighting had transitioned to wall mounted lighting on the side of the building. Adam Stranieri stated that the elevations in the presentation depicting the wall packs, were different from the elevations submitted with the PHO application. Mr. Stranieri stated that the new elevations need to be submitted to the City and would be date stamped with the hearing date.

Mr. Stranieri stated that the submission and review complies with the stipulation, but a new stipulation should be added for general conformance to the proposed conceptual site plan and elevations. He stated that the site plan is compatible and consistent with similar facilities in the area. He added that the use of materials and design elements give better articulation to the façade of the building than some other facilities in the surrounding area.

Mr. Stranieri stated that the site is archaeologically sensitive and additional stipulations were warranted to address City requirements for archaeological data testing and surveying. Mr. Baugh stated that he had no concerns with the additional stipulations.

FINDINGS

- 1) At the time of the approval of the original rezoning case, the applicant did not have a specific user or development planned for the site. At their August 15, 2017 meeting, the Estrella Village Planning Committee recommended the addition of Stipulation 9 to require the applicant to return through the Planning Hearing Officer process for review and approval once a specific development project was identified. This stipulation was adopted by the City Council and the applicant's request complies with this stipulation.
- 2) The proposed site plan depicts an approximately 318,000 square foot building oriented along Buckeye Road. Loading bays are located along the north and south facades of the building and vehicle parking areas are located along the east and west. There are two driveways each along 103rd Avenue and Buckeye Road. Conceptual elevations depict buildings with a maximum height of 46 feet to top of parapet. Design features include some pop outs, multiple materials, and architectural shade and canopies at main entrances. The site plan and elevations are compatible with other similar types of development in the surrounding area, particularly on the north side of Buckeye Road on properties located in Tolleson. The applicant is not proposing to modify any existing stipulations, including those requiring enhanced building and landscape setbacks, enhanced planting standards, building elevation enhancements, and a building height restriction. The proposed conceptual plans comply with these existing stipulated requirements.

- 3) General conformance to the proposed conceptual site plan and elevations is recommended to be added as a new stipulation and therefore Stipulation 9 is recommended to be deleted. Future modification of conceptual designs will be subject to the stipulated plans or may necessitate further PHO action.
- 4) The site is identified as archaeologically sensitive and two additional stipulations are recommended to be included to address requirements for archaeological survey and testing requirements.

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 OCTOBER 30, 2020 AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED DECEMBER 16, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. 4.	The developer shall provide a minimum 50-foot building setback along the northern and southern boundaries of the site, as approved by the Planning and Development Department
4. 2.	The developer shall provide a minimum 30-foot landscape setback along both 103rd Avenue and Buckeye Road. In addition, the developer shall provide and maintain 26-feet of landscaping in the Buckeye Road right-of-way. The streetscape landscaping shall be installed and maintained in accordance with the C-2 zoning district standards for planting type, size, and quantity, as approved by the Planning and Development Department.
5. 3.	The developer shall provide a minimum 20-foot landscape setback along the southern and western boundaries of the site, as approved by the Planning and Development Department.
6. 4.	The developer shall comply with the Estrella Village Arterial Street Landscaping Program, as approved by the Planning and Development Department.

7. 5.	Building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
8. 6.	Building height shall be limited to a maximum of 40 feet within 100 feet of the southern boundary of the site, as approved by the Planning and Development Department.
9.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND SUBMIT AN ARCHAEOLOGICAL SURVEY REPORT OF THE DEVELOPMENT AREA FOR REVIEW AND APPROVAL BY THE CITY ARCHAEOLOGIST PRIOR TO CLEARING AND GRUBBING, LANDSCAPE SALVAGE, AND/OR GRADING APPROVAL.
10.	IF PHASE I DATA TESTING IS REQUIRED, AND IF, UPON REVIEW OF THE RESULTS FROM THE PHASE I DATA TESTING, THE CITY ARCHAEOLOGIST, IN CONSULTATION WITH A QUALIFIED ARCHAEOLOGIST, DETERMINES SUCH DATA RECOVERY EXCAVATIONS ARE NECESSARY, THE APPLICANT SHALL CONDUCT PHASE II ARCHAEOLOGICAL DATA RECOVERY EXCAVATIONS.
11. 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.
12. 8.	The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals as per plans approved by the City. All improvements shall comply with all ADA accessibility standards.
9.	The site plan and elevations shall be reviewed and approved by the Planning Hearing Officer prior to preliminary site plan approval.
13. 10.	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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