

## Attachment C

### REPORT OF PLANNING HEARING OFFICER ACTION

Mr. Byron Easton, Planner III, Hearing Officer  
Teresa Garcia, Planner I, Assisting

November 15, 2023

ITEM NO: 3	
	DISTRICT NO. 7
SUBJECT:	
Application #:	PHO-1-23--Z-SP-5-21-7
Location:	Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road
Zoning:	C-2 SP
Acreage:	11.83
Request:	<ol style="list-style-type: none"><li>1) Modification to Stipulation 1 regarding general conformance with building elevations date stamped November 16, 2021.</li><li>2) Deletion of Stipulation 5 regarding perimeter walls.</li><li>3) Modification to Stipulation 6 regarding parking lot landscaping.</li><li>4) Deletion of Stipulation 7.a regarding shading of pedestrian walkways.</li><li>5) Deletion of Stipulation 8.a regarding location of pedestrian thoroughfares.</li><li>6) Modification to Stipulation 9.b regarding the location of a bicycle repair station.</li><li>7) Modification to Stipulation 12 regarding location of sidewalks along Lower Buckeye Road.</li></ol>
Applicant:	EPS Group, Inc.
Owner:	Aamerco Real Estate Company
Representative:	EPS Group, Inc.

### **ACTIONS:**

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification.

Village Planning Committee (VPC) Recommendation: The Estrella Village Planning Committee was scheduled to hear this request on October 17, 2023, but did not have a quorum.

### **DISCUSSION:**

David Hughes, representative of EPS Group, Inc, gave an overview of the site and the modifications that were requested. He stated the existing conditions on

the site, including an existing ADOT chain link fence along the western property line. He gave an overview of the VPC hearing, indicating there was no quorum, but had a meeting with the VPC chair, Lisa Perez, to answer some questions she had about the site.

Parul Butala, representative of U-Haul, stated her support for the project and was available to answer questions regarding U-Haul's operation.

Mr. Easton asked Mr. Hughes if he was aware of any sound wall requirements from ADOT.

Mr. Hughes stated he is not aware of any requirements.

Mr. Easton asked if Mr. Hughes reached out to ADOT regarding the project.

Mr. Hughes stated he did reach out to ADOT and is preparing a traffic study and the site plan for their review. He stated he discussed it with Teresa Garcia, Planning Hearing Officer Assistant, and mentioned the materials will be provided with the site plan application.

Mr. Easton asked if the proposed site plan meets the City of Phoenix's current landscape requirements.

Mr. Hughes stated the landscape on the plan was used for presentation and would need to double check the landscaping requirements.

Mr. Easton stated there was no public correspondence for this case. He stated there was no recommendations from the Estrella VPC due to no quorum at the VPC hearing. He recommended approval with a modification to Stipulation 1, modifying the general conformance date to September 8, 2023 for the new proposed elevations. He recommended approval to Stipulations 5 and 6, indicating that the applicant is offering to add additional landscaping to the site. He stated modification requests to Stipulations 7.a and 8.a were withdrawn. He recommended approval to Stipulation 9.b, indicating the applicant is going to keep the bicycle repair station and is updating the site plan date. He recommended approval to Stipulation 12 as written. He stated a Prop 207 waiver was received and no additional stipulations were added.

### **FINDINGS:**

- 1) The request to modify Stipulation 1 is approved with a modification. The purpose of the original rezoning was to allow the development of commercial self-service storage warehouse buildings on the Site. The proposal is offering the same use and intensity on the same portion of the

property and therefore only needs the revised elevations for the new development to be referenced in the general conformance Stipulation.

- 2) The request for the deletion of Stipulation 5 is approved. The applicant indicated that there is an existing view fence provided by ADOT adjacent to the Loop 202 freeway drainage channel. The applicant also stated that they will provide additional landscaping along that frontage and provided a landscape plan showing the added buffering in lieu of additional perimeter walls.
- 3) The request to modify Stipulation 6 regarding parking lot landscaping is recommended to be approved. The Stipulation has been modified to specify which parking areas are to be landscaped with 2-inch caliper shade trees, excluding areas that will only be used for moving van storage. The overall goal to achieve 25 percent of parking area shade at maturity, will still be achieved.
- 4) The request for modification of Stipulation 7.a is withdrawn.
- 5) The request for deletion of Stipulation 8.a is withdrawn.
- 6) The request to modify Stipulation 9.b is approved. The Stipulation is being updated to match the revised site plan for the new development (different developer).
- 7) The request to modify Stipulation 12 is approved. Due to Lower Buckeye Road right-of-way being under the jurisdiction of ADOT, the ultimate design of the sidewalk and landscaping in ADOT right-of-way is solely at their discretion. In addition, existing SRP facilities in the right-of-way would prohibit/severely limit planting in a landscape buffer on top of those facilities. Typically, the City of Phoenix would require the facilities to be moved out of the right-of-way and onto private property but are unable to, in this situation, as it's not under the City's jurisdiction.

**STIPULATIONS:**

1.	The self-service storage warehouse portion of the development shall be in general conformance with the building elevations date stamped SEPTEMBER 8, 2023 <del>November 16, 2024</del> , as modified by the following stipulations and approved by the Planning and Development Department. Other building elevations shall be developed with a common architectural theme to the following standards, as approved by the Planning and Development Department:

	a.	Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability to provide a decorative and aesthetic treatment.
	b.	All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
	c.	A minimum of two building materials listed in the Estrella Village Core Plan shall be utilized in all building elevations.
2.		The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as noted herein, as approved by the Planning and Development Department.
3.		Project entry drives along Lower Buckeye Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials. Each landscaped area shall be a minimum of 125-square feet, as approved by the Planning and Development Department.
4.		Project entry drives along Lower Buckeye Road shall be constructed of decorative pavers, stamped, or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
<del>5.</del>		<del>Where perimeter walls are adjacent to the Loop 202 freeway drainage channel, these shall be limited to open view wrought iron fencing or similar material, or a combination of 4 feet solid masonry topped by wrought iron open view fencing or similar material, unless required otherwise by the Zoning Ordinance, as approved by the Planning and Development Department.</del>
5. 6.		All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
6. <del>7.</del>		The following pedestrian shade standards shall be met as described below and as approved or modified by the Planning and Development Department:
	a.	Pedestrian walkways connecting the commercial buildings to adjacent public sidewalks shall be shaded to a minimum of 75 percent using

		large canopy drought tolerant shade trees at maturity and/or architectural shade.
	b.	The bus stop along Lower Buckeye Road shall be shaded to a minimum of 50 percent.
7. <del>8.</del>		A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:
	a.	Connections to/between via the most direct route:
		(1) All building entrances.
		(2) Adjacent public sidewalks.
		(3) The bus stop along Lower Buckeye Road.
	b.	Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
8. <del>9.</del>		The development shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
	a.	A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
	b.	One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to Lower Buckeye Road or the C Store building as depicted in the site plan date stamped SEPTEMBER 8, 2023 <del>July 12, 2024</del> . The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

9. 10.		The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north side of Lower Buckeye Road and construct a minimum 10-foot wide multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail indicated in Section 429 and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
10 11.		The developer shall dedicate right-of-way and construct one bus stop pad along westbound Lower Buckeye Road west of 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258.
11 12.		All sidewalks along Lower Buckeye Road shall be ATTACHED AND A MINIMUM OF 5 FEET IN WIDTH <del>detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map</del> and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
	a.	Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum.7.5 percent shade.
	b.	Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
	c.	The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.
		Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
12 13.		All sidewalks along 59th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
	a.	Minimum 2-inch caliper single-trunk large canopy drought-tolerant

		shade trees to provide a minimum 75 percent shade.
	b.	Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
	c.	The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.
		Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
13 44.		All proposed driveways along Lower Buckeye Road shall require the approval of the Arizona Department of Transportation (ADOT) and the Planning and Development Department.
14 45.		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.
15 46.		If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
16 47.		If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
17 48.		In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
18 49.		Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. 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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