

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



City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned

Date: July 13, 2022

From: Alan Stephenson
Planning & Development Department Director

Subject: **P.H.O. APPLICATION NO. PHO-5-22--Z-137-86-7(4)**– 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 **August 17, 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 **July 20, 2022**.

DISTRIBUTION

Mayor's Office (Lisa Fernandez), 11th Floor
City Council (Sina Matthes, Tony Motola), 11th Floor
Aviation (Sheldon Daisley)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Aaron Conway), 2nd Floor
Light Rail (Joel Carrasco/Special TOD Only)
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Natasha Hughes), 16th Floor
Public Transit (Michael Pierce)
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, Maryvale Village)
Village Planning Committee Chair (Gene Derie, Maryvale Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-5-22--Z-137-86-7

Council District: 7 4

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation 1 regarding general conformance with the site plans and elevations date stamped May 17, 2021 and dated October 9, 1996, May 7, 1997, and June 4, 1997.

Owner	Applicant	Representative
Holland Real Estate LLC 1515 North Academy Boulevard, Suite 200 Colorado Springs CO 80909 (719) 955-2055 t.reinhard@wendyscos.com	Justin Gregonis, Upward Architects 1155 West Rio Salado Parkway, Suite B-101 Tempe AZ 85281 (602) 753-5222 justin@upwardarchitects.com	Thomas Dake 5150 Mae Anne Avenue, Suite 405 #252 Reno NV 89523 P: (702) 767-9522 F: tdake@dakecompaniesusa.com

Property Location: Approximately 500 feet south of the southeast corner of 51st Avenue and McDowell Road

Zoning Map: <u>G-5</u>	Quarter Section: <u>12-17</u>	APN: <u>103-31-024</u>	Acreage: <u>1.75</u>
Village: <u>Maryvale</u>			
Last Hearing: <u>CC HEARING</u>			
Previous Opposition: <u>No</u>			
Date of Original City Council Action: <u>05/11/1994</u>			
Previous PHO Actions: <u>11/13/1996 07/02/1997 08/25/2021 230 PM</u>			
Zoning Vested: <u>C-2</u>			
Supplemental Map No.: <u>785</u>			
Planning Staff: <u>080534</u>			

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	06/27/2022	22-0060735	Original Filing Fee

Signature of Applicant: _____ DATE: _____

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>08/17/2022 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	Appealed?: _____
Action: _____	Action: _____	Action: _____

A. PROJECT OVERVIEW.

The project is a proposed Wendy's Restaurant located at Northwest corner of 51st Avenue and Interstate 10 freeway. The proposed restaurant, located at 1475 North 51st Avenue, Phoenix Arizona, 85043, will be an approximate 2,866 square foot one-story building with an approximate 480 square foot landscaped covered outdoor patio / dining area. The restaurant will provide the convenience of drive-thru ordering and pick-up, as well as to-go pick-up parking stalls for those who have ordered ahead. The strategic location for this site is on the northbound side of 51st Avenue, just north of the I-10 freeway interchange. The addition of this neighborhood Wendy's complements the existing surroundings developments in the area and will provide a convenient and fun location to enjoy quality food with friends and family.

B. EXISTING STIPULATIONS.

1. The northern portion of the development shall be in conformance with the site plan and elevations date stamped May 17, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

The Southern portion of the development shall be in general conformance with the site plan dated October 9, 1996, and the site plan dated May 7, 1997, and elevation dated June 4, 1997, for the four-story hotel, as modified by the following stipulations and approved by Planning and Development Department.

2. All landscape areas and building setbacks be measured from any new property lines resulting from additional right-of-way dedication.
3. Mature landscaping, to include 24-inch box size shade trees placed 20 feet on center or equivalent groupings, shall be provided along 51st Avenue and McDowell Road.
4. That all parking areas fronting on 51st Avenue and McDowell Road be appropriately screened by walls and/or berms approved by the Development Services Department.
5. Sufficient right-of-way shall be dedicated by the property owner within one year of final City Council action to provide:
 - a) All right-of-way easements to be dedicated in fee title.
 - b) All 21' x 21' triangle at the intersection of 51st Avenue and McDowell Road.
 - c) A 10' x 175' bus bay along McDowell Road.
 - d) Additional right-of-way, including right turn lanes as may be required by the Development Services Department.
6. 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.

C. MODIFIED STIPULATIONS.

- ~~1. The northern portion of the development shall be in conformance with the site plan and elevations date stamped May 17, 2021, as modified by the following stipulations and approved by the Planning and Development Department.~~

The Southern portion of the development shall be in general conformance with the site plan dated ~~October 9, 1996~~, and the site plan dated ~~May 7, 1997~~, and elevation dated ~~June 4, 1997~~, for the four-story hotel, as modified by the following stipulations and **JUNE 27, 2022 AS** approved by Planning and Development Department.

D. RATIONALE OF REQUEST.

Site plan dated on October 9th of 1996 and site plan dated on May 7th of 1997 belongs to an approved, but never built-up four-story Hotel development, as well as the elevations dated on June 4, 1997, (modified on November 13th, 1996).

Northern portion of the Site has not been considered due a Lot Split completed on January 25th, 2022, with MCR #: 2022-0069132

Sincerely,
Upward Architects, LLC



Justin Gregonis, NCARB
Managing Partner



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

September 3, 2021

Nordean Moussalem
76 East Mitchell Drive
Phoenix, AZ 85012

RE: PHO-4-21--Z-137-86-7(4) – Approximately 315 feet south of the southeast corner of 51st Avenue and McDowell Road

Dear Applicant:

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506 of the Zoning Ordinance, has on August 25, 2021, considered a request for 1) Modification to Stipulation 1 regarding general conformance to the site plans dated October 9, 1996 and May 7, 1997 and elevations dated June 4, 1997. 2) Technical corrections to Stipulations 4 and 5.d.

The City Council ratified application PHO-4-21--Z-137-86-7(4) as recommended by the Planning Hearing Officer for approval.

STIPULATIONS

1. The northern portion of the development shall be in general conformance with the site plan and elevations date stamped May 17, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

The southern portion of the development shall be in general conformance with the site plan dated October 9, 1996, and the site plan dated May 7, 1997, and elevation dated June 4, 1997, for the four story hotel, as modified by the following stipulations and approved by the Planning and Development Department.

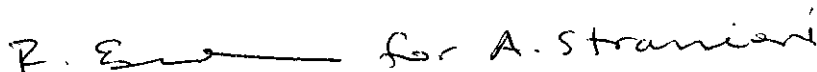
2. All landscape areas and building setbacks shall be measured from any new property lines resulting from additional right-of-way dedication.
3. Mature landscaping, to include 24-inch box size shade trees placed 20 feet on center or equivalent groupings, shall be provided along 51st Avenue and McDowell Road.

September 1, 2021

Page 2

4. All parking areas fronting on 51st Avenue and McDowell Road shall be appropriately screened by walls and/or berms approved by the Planning and Development Department.
5. Sufficient right-of-way shall be dedicated by the property owner within one year of final City Council action to provide:
 - a. All right-of-way easements to be dedicated in fee title.
 - b. A 21' x 21' triangle at the intersection of 51st Avenue and McDowell Road.
 - c. A 10' x 175' bus bay along McDowell Road.
 - d. Additional right-of-way, including right turn lanes as may be required by the Planning and Development Department.
6. 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.

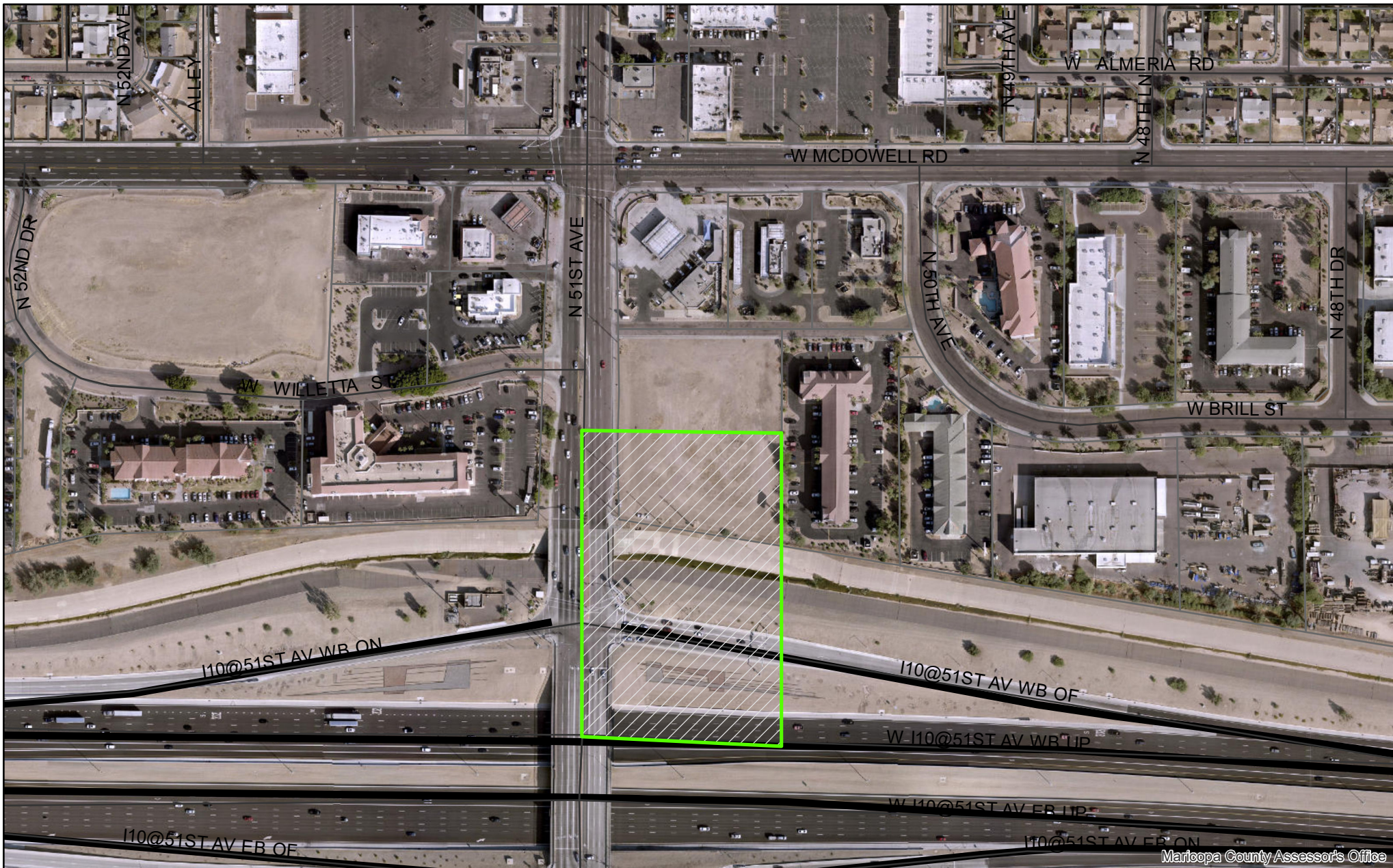
Sincerely,

 for A. Stranieri

Adam Stranieri
Planner III

c: LuAron Foster
Raising Cane's Restaurants LLC
6800 Bishop Road
Plano, TX 75024

Bradley Wylam, PDD-Planning (Electronically)
Joshua Bednarek, PDD-Development (Electronically)
Greg Gonzales, NSD (Electronically)
Matthew Heil, City Council (Electronically)
Book
Case File



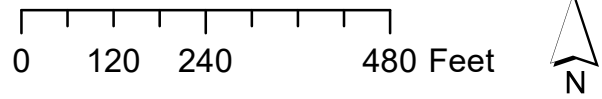
Maricopa County Assessor's Office

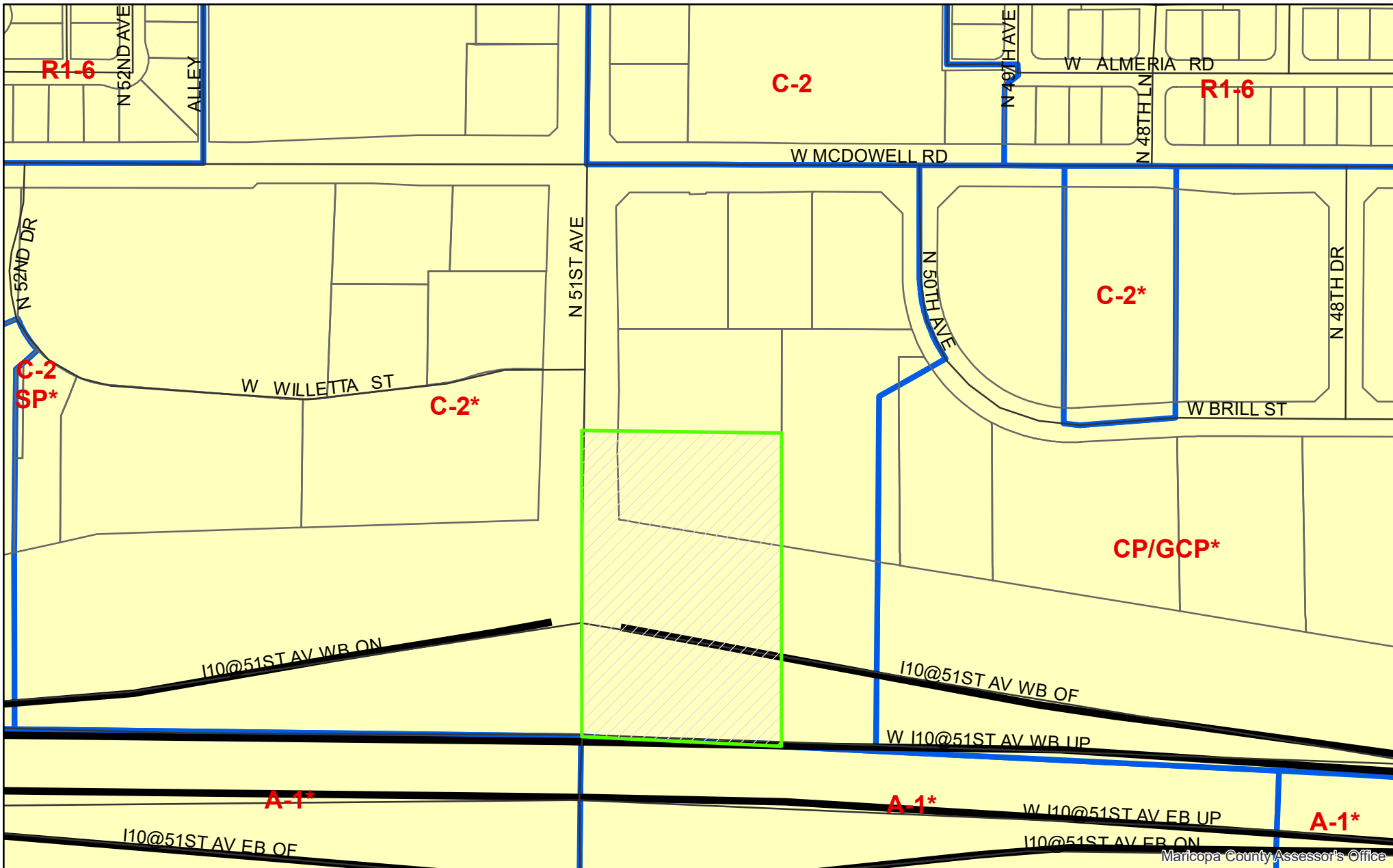
PHO-5-22--Z-137-86-7(4)

Property Location: Approximately 500 feet south of the southeast corner of 51st Avenue and McDowell Road



Planning & Development Department





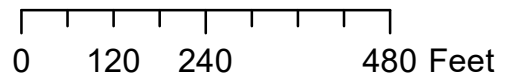
Maricopa County Assessor's Office

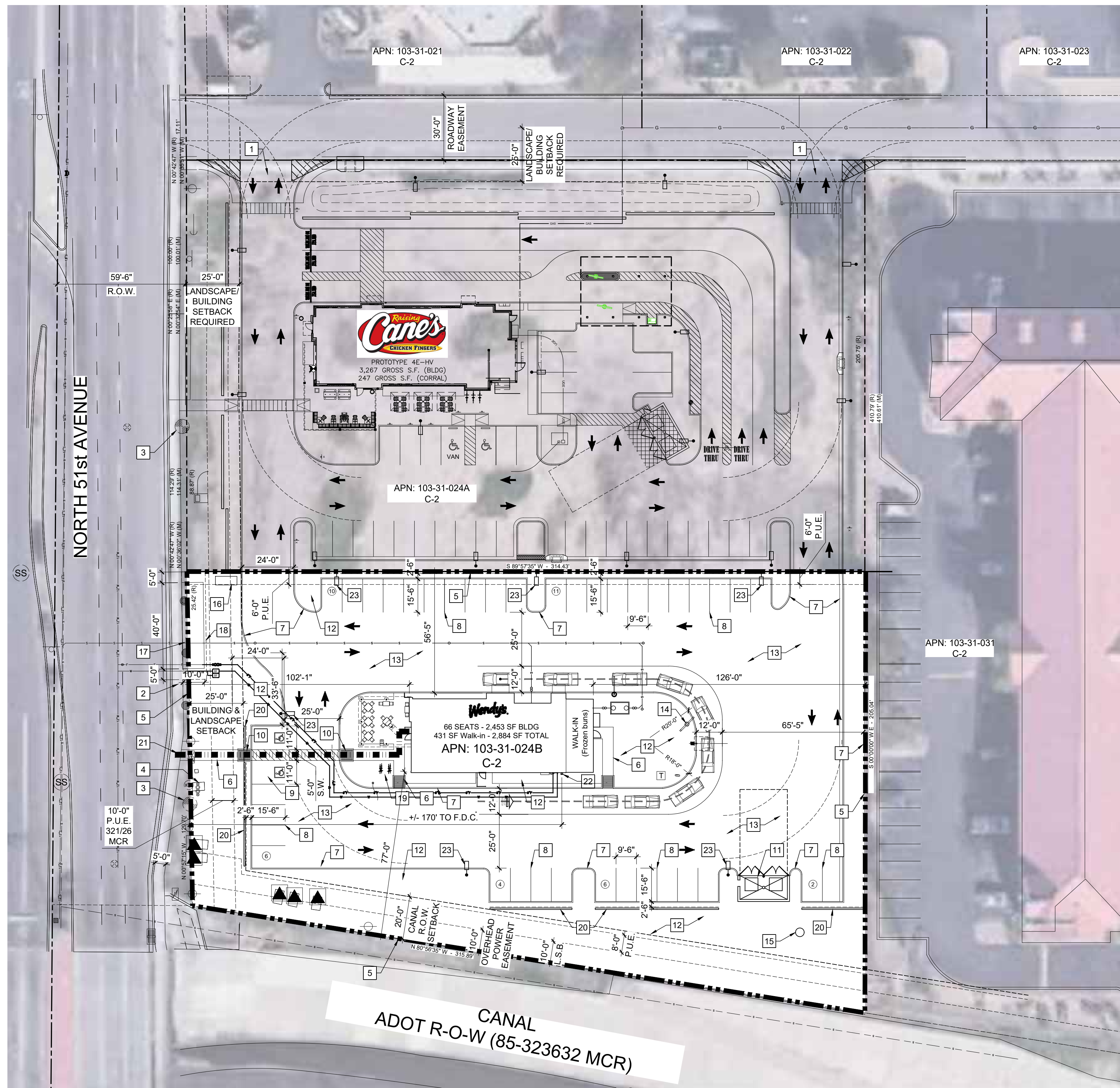
PHO-5-22--Z-137-86-7(4)

Property Location: Approximately 500 feet south of the southeast corner of 51st Avenue and McDowell Road



Planning & Development Department





SITE PLAN
SCALE: 1" = 30'-0"

THIS PROJECT IS NOT LOCATED WITHIN 500 FEET OF A RESIDENTIAL ZONING DISTRICT

GENERAL SITE PLAN NOTES

- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
 - ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
 - THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
 - STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
 - STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURING 33' X 33' ALONG THE PROPERTY LINES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
 - ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL EXCEEDING THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES IN THE AREA OUTSIDE OF THE SITE.
 - OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
 - ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
 - ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.
 - BARBED, RAZOR, OR CONCERTINA WIRE (OR SIMILAR) SHALL NOT BE USED ON THIS SITE.
 - ALL SIGNAGE REQUIRES SEPARATE REVIEWS, APPROVALS, AND PERMITS. NO SIGNS ARE APPROVED PER THIS PLAN.
 - AN ASSOCIATION, INCLUDING ALL PROPERTY OWNERS IN THE DEVELOPMENT, WILL BE FORMED AND HAVE RESPONSIBILITY FOR MAINTAINING ALL COMMON AREAS NOTED AS "TRACTS" OR "EASEMENTS", INCLUDING PRIVATE STREETS, LANDSCAPED AREAS, AND DRAINAGE FACILITIES IN ACCORDANCE WITH APPROVED PLANS.
- DATE: 11/12/2021
- I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE MODIFIED PORTION OF THE PLAN.
- Justin Gregonis*
SIGNATURE OF COPYRIGHT OWNER JUSTIN GREGONIS
PRINTED NAME OF COPYRIGHT OWNER

LEGAL DESCRIPTION:

A PORTION OF LOT 4, WEST 10 CROSSROADS AMENDED, ACCORDING TO BOOK 428 OF MAPS, PAGE 13, RECORDS OF MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 4; THENCE ALONG THE NORTH LINE OF SAID LOT 4, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 314.99 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE ALONG THE EAST LINE OF SAID LOT 4, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 205.75 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE EAST LINE OF SAID LOT 4, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 205.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 4; THENCE ALONG THE SOUTH LINE OF SAID LOT 4 NORTH 80 DEGREES 56 MINUTES 35 SECONDS WEST, A DISTANCE OF 315.89 FEET TO THE SOUTHWEST CORNER OF SAID LOT 4; THENCE ALONG THE WEST LINE OF SAID LOT 4 THE FOLLOWING 2 COURSES: NORTH 00 DEGREES 57 MINUTES 15 SECONDS WEST, A DISTANCE OF 129.70 FEET; THENCE NORTH 00 DEGREES 42 MINUTES 47 SECONDS WEST, A DISTANCE OF 24.42 FEET; THENCE DEPARTING THE WEST LINE OF SAID LOT 3 NORTH 89 DEGREES 57 MINUTES 35 SECONDS EAST, A DISTANCE OF 314.43 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 56,373 SQUARE FEET OR 1.294 ACRES, MORE OR LESS.

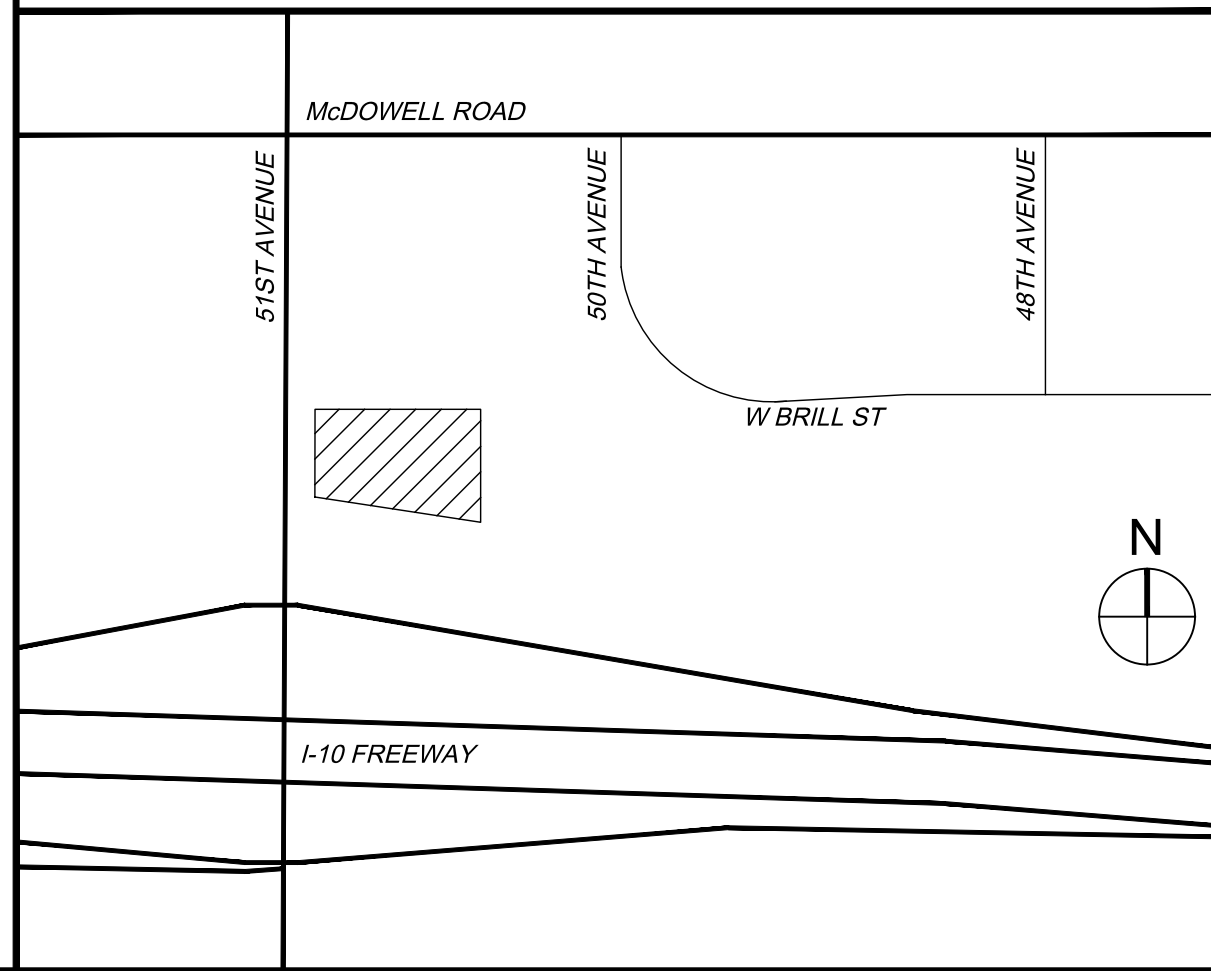
DEFERRED SUBMITTALS

- FIRE ALARM
- UNDERGROUND FIRELINE
- INVENTORY PLAN
- FIRE SPRINKLER DESIGN
- HOOD SUPPRESSION SYSTEM
- SALVAGE PLAN
- EMERGENCY ACCESS PERMIT
- CO2 BEVERAGE SYSTEM
- GRADING AND DRAINAGE

LEGEND

- EXISTING FIRE HYDRANT
- FIRE TRUCK TURNING RADI (35' INSIDE RADIUS / 55' OUTSIDE RADIUS)
- ACCESSIBLE PATH OF TRAVEL

VICINITY MAP



SITE DATA

PROJECT DESCRIPTION:
THIS SUBMITTAL INCLUDES NEW GROUND UP TURN KEY WENDY'S (RESTAURANT) AND ASSOCIATE SITE WORK.

ADDRESS: 1475 N. 51ST AVE. PHOENIX, AZ 85043

APN: 103-31-024B

CONSTRUCTION TYPE: V-B (SPRINKLERED) (NFPA 13)

FIRE ALARM: YES

EMERGENCY LIGHTING: YES

ZONING (EXISTING): C-2

ZONING (PROPOSED): RESTAURANT (ASSEMBLY A-2)

USE: 59,373 S.F. (1.36 AC)

SITE AREA (NET): 68,893 S.F. (1.58 AC)

SITE AREA (GROSS):

BUILDING DATA:

TOTAL BUILDING AREA (PAD A): 2,884 SF

BUILDING LOT COVERAGE: 4.85%

BUILDING HEIGHT: (ALLOWED) 2 STORIES / 30' - 0" HEIGHT (PROPOSED) 1 STORY / 21' - 2" HEIGHT

SETBACKS (BUILDING):

FRONT: 25' REQUIRED / 102'-1" ACTUAL

SIDE (NORTH): 0' REQUIRED / 56'-5" ACTUAL

SIDE (SOUTH-CANAL): 20' REQUIRED / 77'-0" ACTUAL

REAR: 0' REQUIRED / 126'-0" ACTUAL

SETBACKS (LANDSCAPE):

FRONT: 25' REQUIRED / 25'-6" ACTUAL

SIDE (NORTH): 0' REQUIRED / 3'-0" ACTUAL

SIDE (SOUTH): 20' REQUIRED / 20'-0" ACTUAL

REAR: 0' REQUIRED / 10'-0" ACTUAL

PARKING:

REQUIRED: RESTAURANT 1,153 S.F. / 50

TOTAL REQUIRED: 23 SPACES

PROVIDED: (STANDARD) 37 SPACES (ACCESSIBLE) 2 SPACES

TOTAL PROVIDED: 39 SPACES

ARCHITECT: UPWARD ARCHITECTS, LLC
1155 WEST RIO SALADO PARKWAY, SUITE B-101
TEMPE, ARIZONA 85281
PHONE: 602.753.5222
FAX:
E-MAIL: justin@upwardarchitects.com
CONTACT: Justin Gregonis

OWNER: HOLLAND REAL ESTATE, LLC
1515 N. ACADEMY BLVD., SUITE 400
COLORADO SPRINGS, COLORADO 80909
PHONE: 702-767-9522
FAX:
E-MAIL: tdake@dakecompanysusa.com
CONTACT: Tom Reinhard

2018 INTERNATIONAL BUILDING CODE WITH AMENDMENTS

2018 INTERNATIONAL ENERGY CONSERVATION CODE WITH AMENDMENTS

2018 INTERNATIONAL MECHANICAL CODE WITH AMENDMENTS

2018 INTERNATIONAL EXISTING BUILDING CODE WITH AMENDMENTS

2018 INTERNATIONAL CODE COUNCIL PERFORMANCE CODE WITH AMENDMENTS

2018 INTERNATIONAL PLUMBING CODE WITH AMENDMENTS

2017 NATIONAL ELECTRICAL CODE/NFPA-70 WITH AMENDMENTS

2018 CITY OF PHOENIX BUILDING ADMINISTRATIVE PROVISIONS FOR THE PHOENIX BUILDING CONSTRUCTION CODE

SITE KEY NOTES

- EXIST. ENTRY DRIVE
- EXIST. 5' SIDEWALK
- EXIST. FIRE HYDRANT
- EXIST. WATER METER / WATER VALVE
- PROPERTY BOUNDARY
- PROPOSED 10' SIDEWALK
- PROPOSED 6" CURB
- PROPOSED PARKING STRIPING
- PROPOSED ACCESSIBLE PARKING W/ ACCESS AISLE
- PROPOSED ACCESSIBLE RAMP
- PROPOSED TRASH ENCLOSURE PER CITY OF PHOENIX PUBLIC WORKS DEPT. STANDARD DETAIL
- PROPOSED LANDSCAPING
- PROPOSED ASPHALT CONCRETE
- PROPOSED MENU BOARD
- PROPOSED 65' PYLON SIGN - SIGN TO BE REGULATED PER SECTION 705 OF THE ZONING ORDINANCE.
- PROPOSED MONUMENT SIGN - 40-IN HEIGHT MAX. SIGN TO BE REGULATED PER SECTION 705 OF THE ZONING ORDINANCE.
- PROPOSED CONCRETE SLAB FOR BUS STOP PER CITY OF PHOENIX STANDARD DETAIL P-1260 - SEE CIVIL DRAWINGS. PROVIDE TREES FOR 50% SHADE COVERAGE AT FULL MATURITY
- PROPOSED 11' x 50' EASEMENT FOR BUS STOP
- PROPOSED PARKING FOR FOUR BICYCLES
- PROPOSED PARKING SCREEN WALL
- PROPOSED ACCESSIBLE PATH
- FIRE DEPARTMENT CONNECTION (F.D.C.)
- LIGHT POLE.

APPROVAL STAMPS

KIVA: 21-4995

SDEV: 2100493

PAPP: 2100576

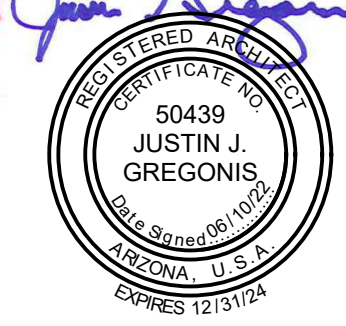
PRDV: 210235

LSPL: Forthcoming

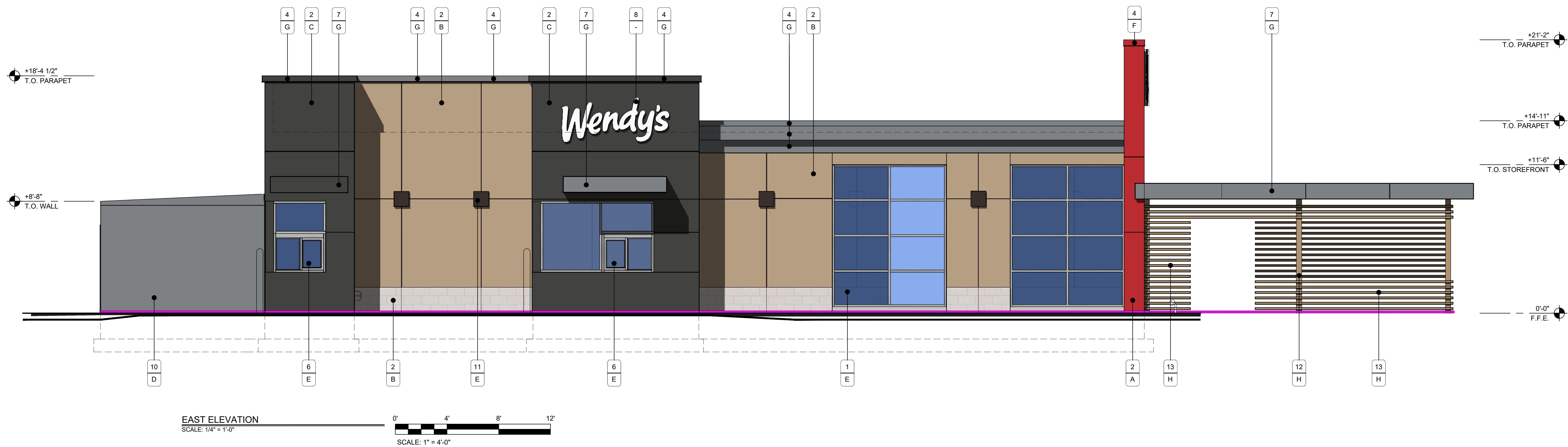
Q-S: 29-22



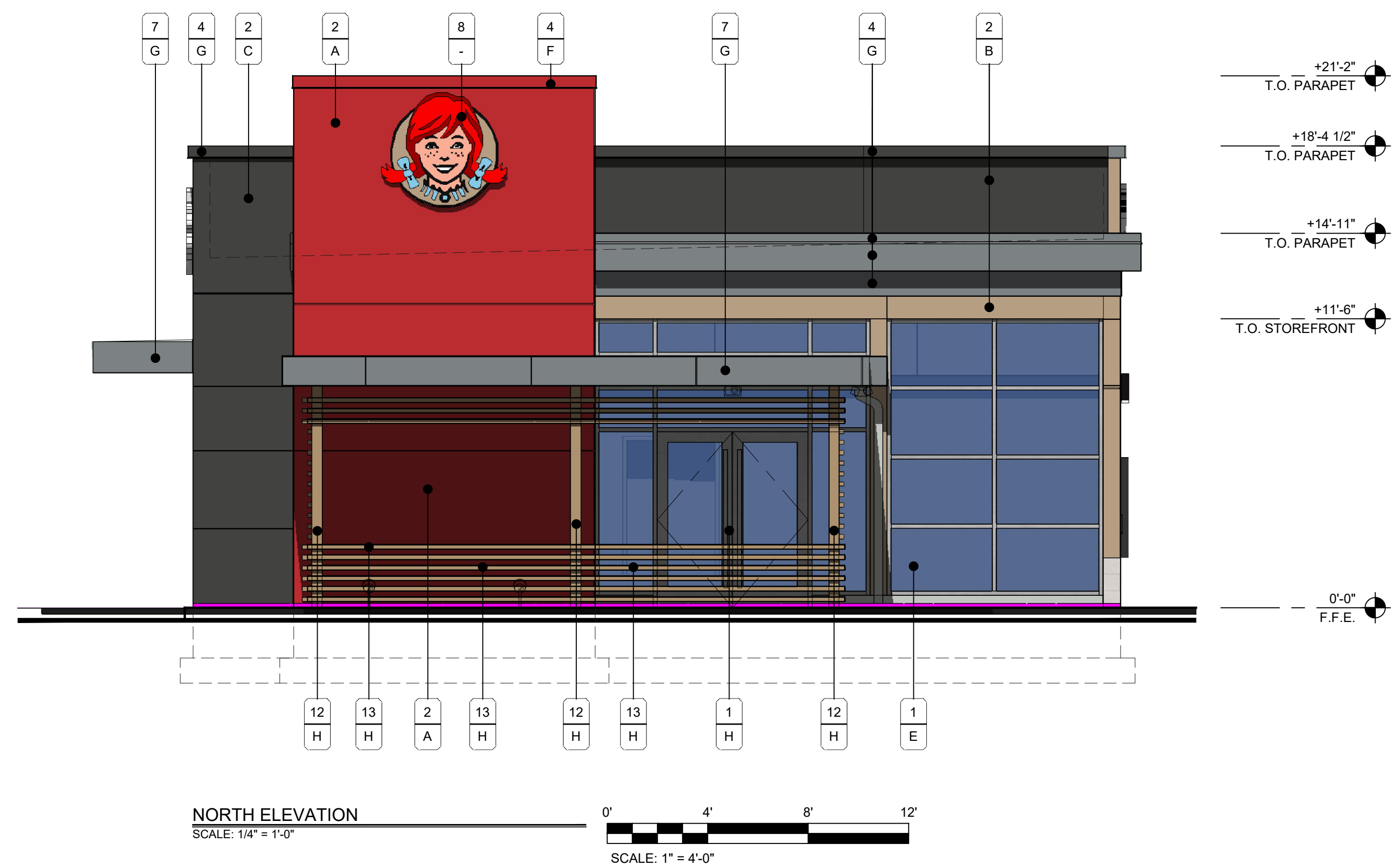
WENDY'S - NEC I-10 & 51ST AVENUE
1475 NORTH 51ST AVENUE
PHOENIX, AZ. 85043
06/10/2022
PROJECT NO.: 21109



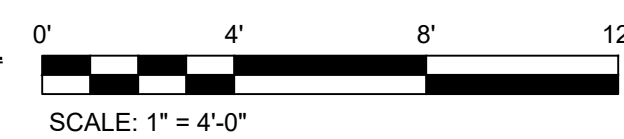
1155 W. Rio Salado Parkway, Suite B-101, Tempe, AZ 85281
602.753.5222 www.upwardarchitects.com



EAST ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"



MATERIAL/COLOR SCHEDULE

- MATERIALS**
- ANODIZED ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED LOW E, CLEAR GLAZING; STOREFRONT DOORS WHERE INDICATED
 - 1" EIFS SYSTEM - INTEGRAL COLOR
 - ARCHITECTURAL METAL PANEL - PREFINISHED
 - METAL PARAPET CAP FLASHING - PREFINISHED
 - HOLLOW METAL DOOR AND FRAME - PAINTED
 - DRIVE-THRU OPERABLE WINDOW AND FRAME SYSTEM
 - STEEL CANOPY - PREFABRICATED
 - FUTURE TENANT SIGNAGE - UNDER SEPARATE SUBMITTAL AND PERMIT
 - SERVICE ENTRANCE SECTION - PAINTED
 - WALK-IN COOLER/FREEZER WALLS - PAINTED
 - WALL-MOUNTED LIGHT FIXTURE

- COLORS**
- | | |
|---|---|
| by Sherwin Williams (or Equal): | by ATAS International, Inc. (or Equal): |
| A. SW 6868 'REAL RED' | F. 'BRITTE RED' |
| B. SW 6108 'LATTE' | |
| C. SW 7069 'IRON ORE' | by Exceptional Metals (or Equal): |
| D. SW 7074 'SOFTWARE' | G. 'SILVER METALLIC' |
| Oldcastle Building Envelope (or Equal): | by PAC-CLAD Petersen (or Equal): |
| E. 'DARK BRONZE' ANODIZED | H. WOOD GRAIN 'LIGHT OAK' |

MATERIAL #			
FINISH X			
A./F.	B.	C.	D./G.
E.	H.		



WENDY'S - NEC I-10 & 51ST AVENUE

1475 NORTH 51ST AVENUE
PHOENIX, AZ. 85043

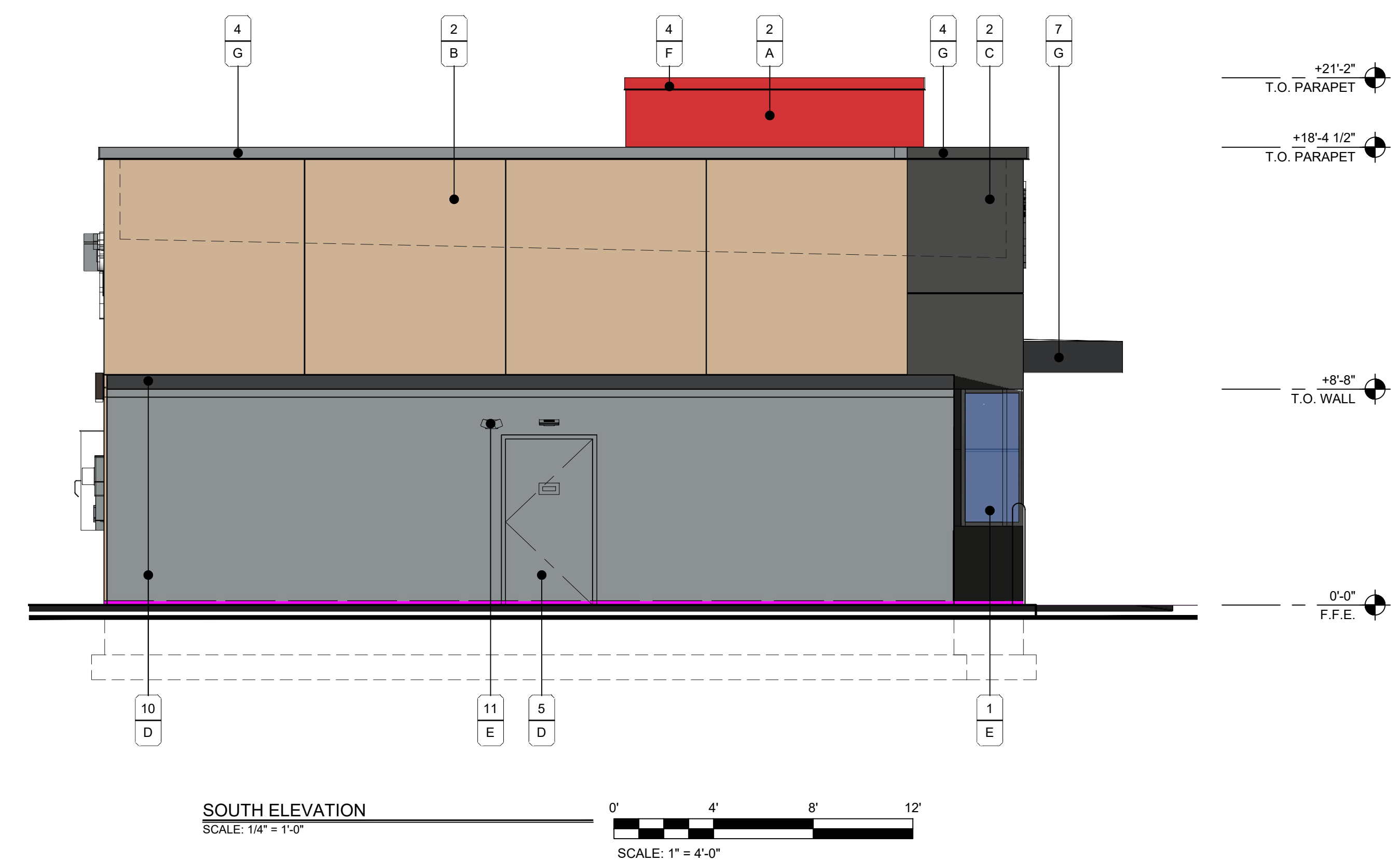
05/12/2022
PROJECT NO.: 21109



1155 W. Rio Salado Parkway, Suite B-101, Tempe, AZ 85281
602.753.5222 www.upwardarchitects.com



WEST ELEVATION
SCALE: 1/4" = 1'-0"
SCALE: 1" = 4'-0"



SOUTH ELEVATION
SCALE: 1/4" = 1'-0"
SCALE: 1" = 4'-0"

MATERIAL/COLOR SCHEDULE

- MATERIALS**
- ANODIZED ALUMINUM STOREFRONT SYSTEM WITH 1" INSULATED LOW E, CLEAR GLAZING; STOREFRONT DOORS WHERE INDICATED
 - 1" EIFS SYSTEM - INTEGRAL COLOR
 - ARCHITECTURAL METAL PANEL - PREFINISHED
 - METAL PARAPET CAP FLASHING - PREFINISHED
 - HOLLOW METAL DOOR AND FRAME - PAINTED
 - DRIVE-THRU OPERABLE WINDOW AND FRAME SYSTEM
 - STEEL CANOPY - PREFABRICATED
 - FUTURE TENANT SIGNAGE - UNDER SEPARATE SUBMITTAL AND PERMIT
 - SERVICE ENTRANCE SECTION - PAINTED
 - WALK-IN COOLER/FREEZER WALLS - PAINTED
 - WALL-MOUNTED LIGHT FIXTURE

- COLORS**
- | | |
|---|---|
| by Sherwin Williams (or Equal): | by ATAS International, Inc. (or Equal): |
| A. SW 6868 'REAL RED' | F. 'BRITTE RED' |
| B. SW 6108 'LATTE' | G. 'SILVER METALLIC' |
| C. SW 7069 'IRON ORE' | by Exceptional Metals (or Equal): |
| D. SW 7074 'SOFTWARE' | by PAC-CLAD Petersen (or Equal): |
| Oldcastle Building Envelope (or Equal): | E. 'DARK BRONZE' ANODIZED |
| | H. WOOD GRAIN 'LIGHT OAK' |

MATERIAL	#
A / F.	X
B.	X
C.	X
D / G.	X
E.	X
H.	X



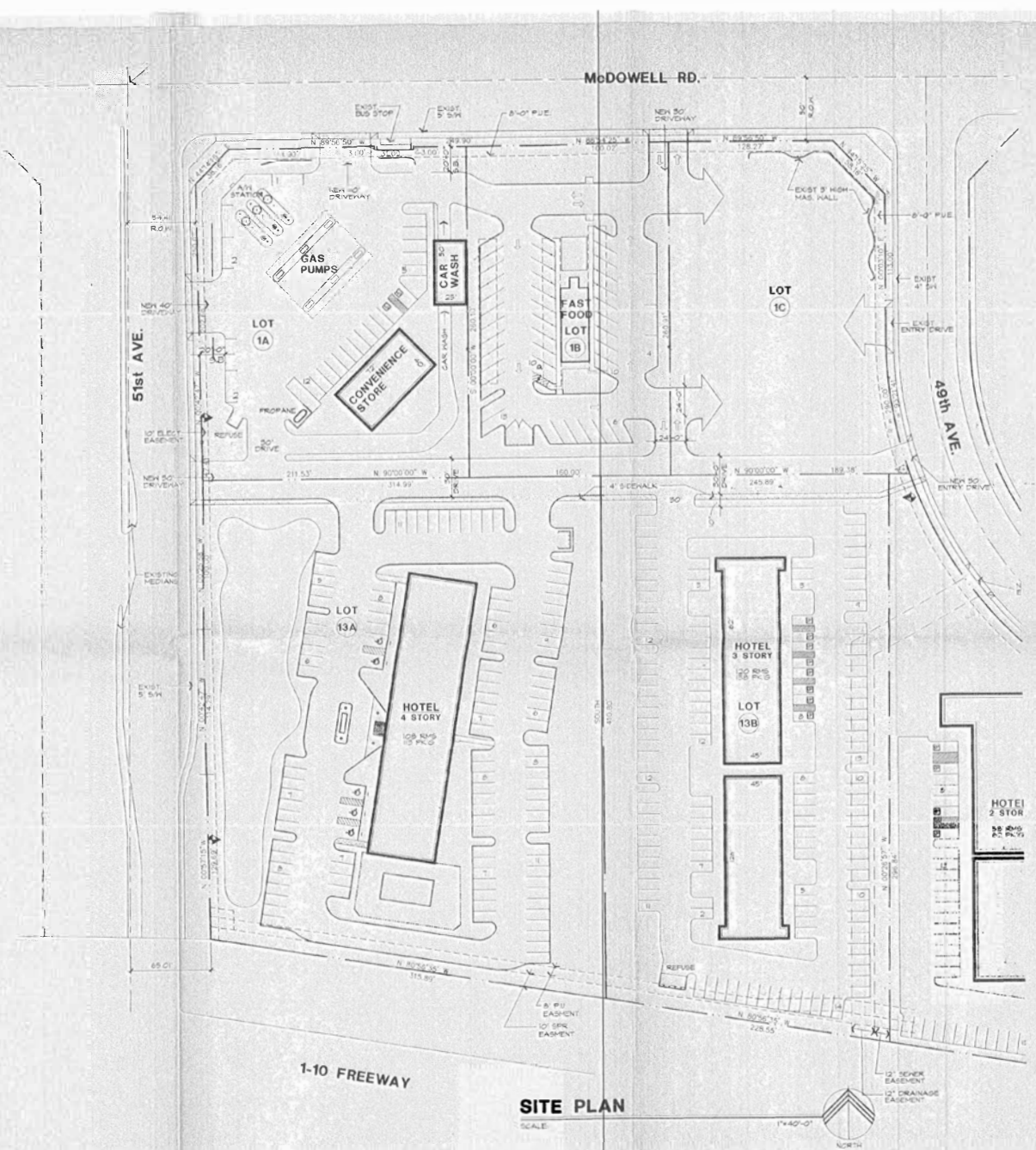
WENDY'S - NEC I-10 & 51ST AVENUE
 1475 NORTH 51ST AVENUE
 PHOENIX, AZ. 85043
 05/12/2022
 PROJECT NO.: 21109

CITY OF PHOENIX
 JUN 27 2022
 Planning & Development
 Department



UPWARD
 ARCHITECTS

1155 W. Rio Salado Parkway, Suite B-101, Tempe, AZ 85281
 602.753.5222 www.upwardarchitects.com



SITE DATA

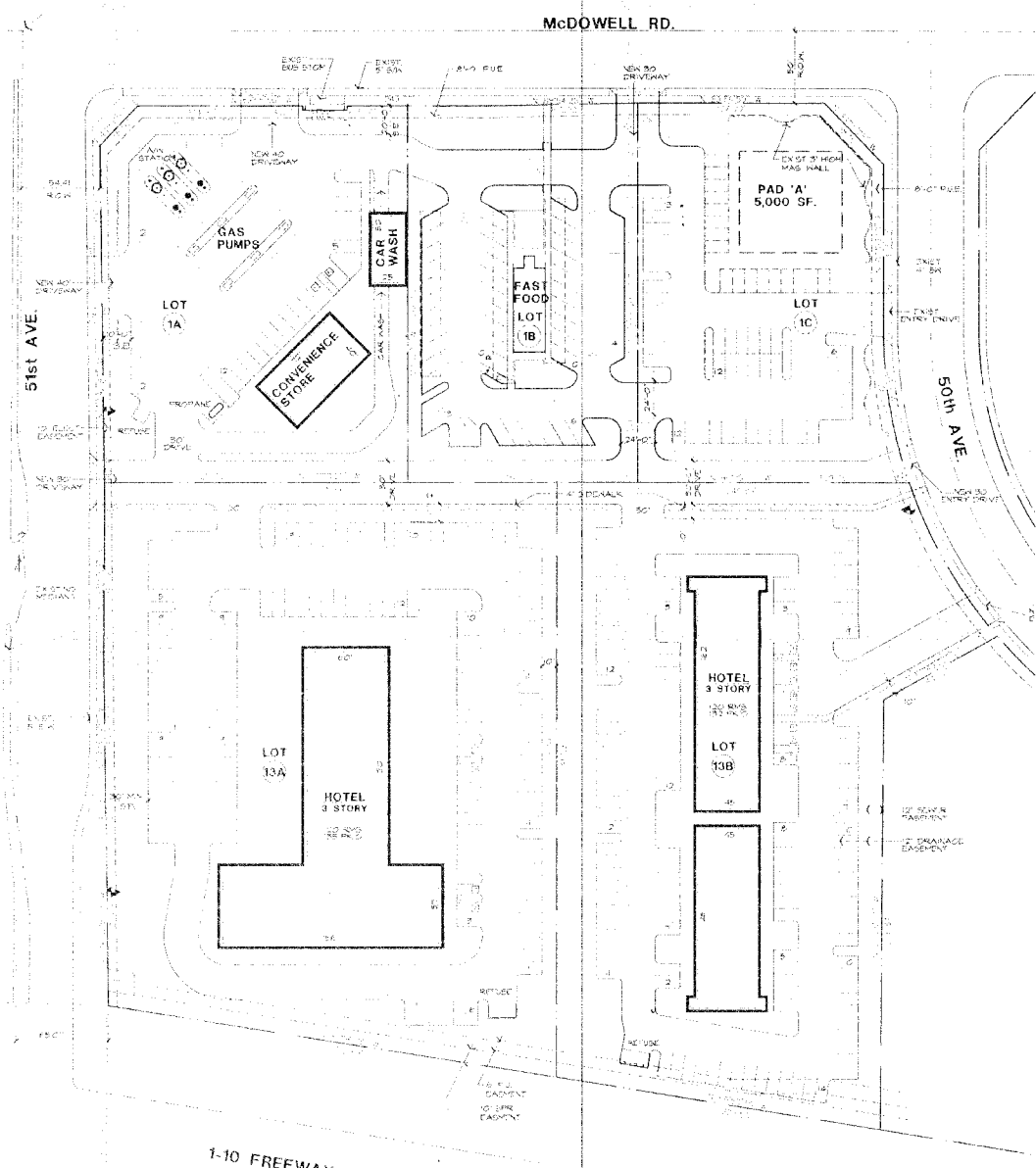
LOT 1A	
SITE AREA	55,000 S.F. (1.26 AC)
BUILDING AREA	17,400 S.F. (CONVENIENCE STORE - 2,850 S.F., CAR WASH - 1,250 S.F., CANOPY - 3,300 S.F.)
% COVERAGE	31.4%
PARKING REQUIRED (2 PER 500')	12 SPACES
PARKING PROVIDED	22 SPACES
LOT 1B	
SITE AREA	41,000 S.F. (0.94 AC)
BUILDING AREA	3,100 S.F.
% COVERAGE	7.6%
PARKING PROVIDED	48 SPACES
LOT 1C	
SITE AREA	14,800 S.F. (0.34 AC)
PAD AREA	7,000 S.F.
LOT 13A	
SITE AREA	12,224 S.F. (0.28 AC)
BUILDING AREA	11,710 S.F.
% COVERAGE	95.8%
PARKING REQUIRED (1 SPACE PER ROOM)	108 SPACES
PARKING PROVIDED	118 SPACES
LOT 13B	
SITE AREA	102,946 S.F. (2.36 AC)
BUILDING AREA	17,041 S.F.
% COVERAGE	16.5%
PARKING REQUIRED (1 SPACE PER ROOM)	140 SPACES
PARKING PROVIDED	152 SPACES



SITE PLAN
SCALE: 1"=40'-0"
NORTH

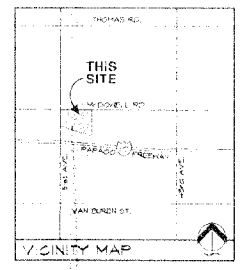
IRWIN G. PASTERNAK 919, P.C.
ARCHITECTURE - PLANNING - LANDSCAPE - INTERIORS

5-7-97
11:00
SAB



SITE DATA

LOT 1A	SITE AREA: 55,000 SF. (124 AC)
BUILDING AREA	17,440 SF. (CONVENIENCE STORE: 2,800 SF. CAR WASH: 250 SF. CANOPY: 8,390 SF.)
% COVERAGE	0.316
PARKING REQUIRED (2 PER BAY)	12 SPACES
PARKING PROVIDED	22 SPACES
LOT 1B	SITE AREA: 11,708 SF. (0.26 AC)
BUILDING AREA	11,740 SF.
% COVERAGE	0.928
PARKING PROVIDED	42 SPACES
LOT 1C	SITE AREA: 448,887 SF. (10.2 AC)
PAD AREA	5,000 SF.
% COVERAGE	1.124
PARKING PROVIDED	43 SPACES
LOT 13A	SITE AREA: 10,278 SF. (0.23 AC)
BUILDING AREA	10,280 SF.
% COVERAGE	100.0%
PARKING REQUIRED (SPACE PER ROOM)	120 SPACES
PARKING PROVIDED	125 SPACES
LOT 13B	SITE AREA: 102,846 SF. (2.36 AC)
BUILDING AREA	102,857 SF.
% COVERAGE	100.0%
PARKING REQUIRED (SPACE PER ROOM)	150 SPACES
PARKING PROVIDED	152 SPACES



IRWIN G. PASTERNAK AIA, P.C.
ARCHITECTURE - PLANNING - LANDSCAPE - INTERIORS



11/16 APPROVAL 11/16/20



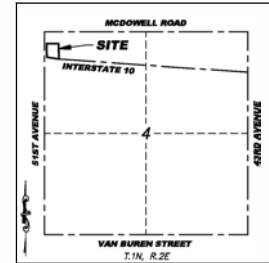
6/4/97
PHO

FINAL SITE PLAN COVER SHEET



RESTAURANT #0687 1525 N 51ST AVE PHOENIX AZ

A PORTION OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GLA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



VICINITY MAP
N.T.S.

SHEET LIST TABLE		
Sheet Number	Sheet Description	Sheet Title
01	C-1	COVER SHEET
02	C-2	SITE KEYNOTE PLAN AND FINAL SITE PLAN

DEVELOPER/OWNER

Raising Canes
RAISING CANES RESTAURANTS, LLC
5500 BISHOP ROAD
PLANO, TEXAS 75024
PH: (972) 769-3364
CONTACT: LJARON FOSTER

CIVIL ENGINEER

Kimley-Horn
KIMLEY-HORN AND ASSOCIATES, INC.
1001 W SOUTHERN AVE, SUITE 131
MESA, ARIZONA 85210
PH: (602) 552-3171
CONTACT: HEATHER ROBERTS, PE

LAND SURVEYOR

SURVEY INNOVATION GROUP, INC
22425 N. 16TH STREET, SUITE 1
PHOENIX, ARIZONA 85024
PH: (480) 922-0780
CONTACT: JARED HANNISMAN

ARCHITECT

PM DESIGN GROUP
78 EAST MITCHELL DRIVE
PHOENIX, ARIZONA 85012
PH: (602) 425-0544
CONTACT: HAROLD FOUTCH

BASIS OF BEARING

THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 4 AS SHOWN IN BOOK 428, PAGE 13 MARICOPA COUNTY RECORDS, SAID LINE BEARS NORTH 00 DEGREES 28 MINUTES 57 SECONDS EAST.

BENCHMARK

FOUND 3" S.R.V.M.I.A. BRASS CAP ON SOUTH SIDE OF IRRIGATION BOX, ON SOUTHWEST CORNER OF THE INTERSECTION OF 51ST AVENUE AND ROOSEVELT STREET.
ELEVATION = 1069.115 (NGVD29, CITY OF PHOENIX)

FLOOD ZONE

ACCORDING TO THE FLOOD INSURANCE RATE MAP #04013C2185 L, DATED OCTOBER 16, 2013, THIS PROPERTY IS LOCATED IN FLOOD ZONE "X". AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

LEGAL DESCRIPTION

LOT 4, WEST 10 CROSSROADS AMENDED, ACCORDING TO BOOK 428 OF MAPS, PAGE 13, RECORDS OF MARICOPA COUNTY, ARIZONA.

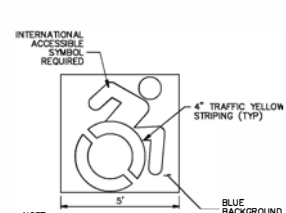
PROJECT DESCRIPTION

THE SCOPE OF THIS PROJECT CONSISTS OF THE NEW CONSTRUCTION OF A PROPOSED 23,267 SF RESTAURANT AND DRIVE-THRU WITH ASSOCIATED SITE IMPROVEMENTS IN PHOENIX, ARIZONA.

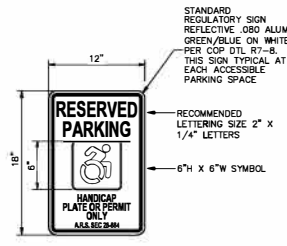
THE OVERALL SITE IS BOUNDED BY AN EXISTING COMMERCIAL DEVELOPMENT TO THE NORTH, AND EAST, I-10 TO THE SOUTH, AND N 51ST AVE TO THE WEST.

THE PROPOSED DEVELOPMENT IS A RAISING CANES RESTAURANT WITH ASSOCIATED DRIVE-THRU. THE CURRENT ZONING FOR THE PROPOSED SITE IS C-2.

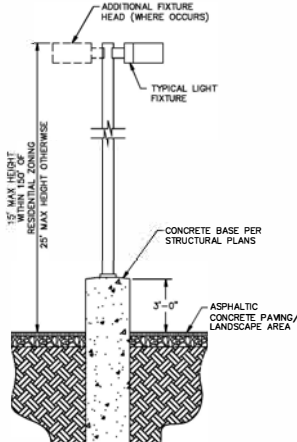
THE PROPOSED DEVELOPMENT WILL RETAIN ONSITE STORM WATER GENERATED FROM THE 100-YEAR 2-HOUR STORM IN ACCORDANCE WITH THE CITY OF PHOENIX REQUIREMENTS.



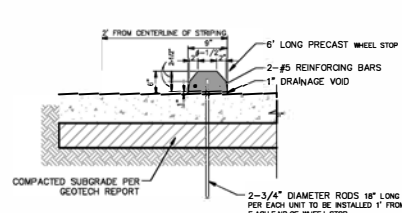
INTERNATIONAL ACCESSIBLE PARKING SYMBOL DETAIL
N.T.S.



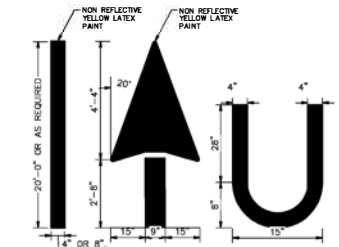
MOUNTED ADA ACCESSIBLE PARKING SIGN DETAIL
N.T.S.



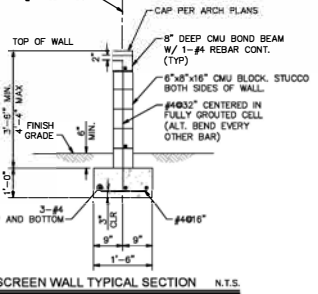
SITE LIGHT DETAIL
N.T.S.



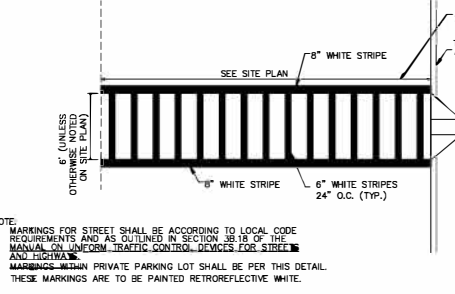
PRECAST CONCRETE WHEEL STOP DETAIL
N.T.S.



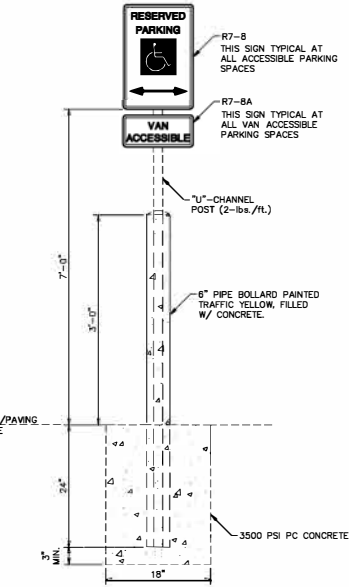
TYPICAL PAVEMENT MARKINGS
NOTE: PAINT SHALL BE APPLIED AT A THICKNESS OF 22 WET MILS AND DRY 15 MILS



3' SCREEN WALL TYPICAL SECTION
N.T.S.



CROSSWALK MARKINGS WITH LONGITUDINAL STRIPES
N.T.S.



ADA ACCESSIBLE PARKING SIGN DETAIL
N.T.S.



CITY OF PHOENIX
MAY 17 2021
Planning & Development
Department



Site:
**1-10 AND 51ST AVE
PHOENIX, AZ. 85043
Restaurant #RC687**

Design Information:

Kimley-Horn

C 20 21 IMLEY-HORN AND ASSOCIATES, INC
1001 W. SOUTHERN AVENUE, SUITE 131
MESA, ARIZONA 85210
(480) 207-2888

Professional of Record:



Permits:	4E-HY SCHEME A 2020-2 RELEASE
Package Issue Date:	7.14.2020
Design Update:	INCLUDED
Date Issued:	Bulletin Number:
7.14.2020	

FINAL SITE PLAN

REVISIONS
1
2
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Sheet Title:

COVER SHEET

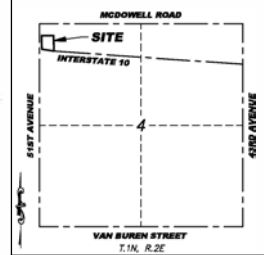
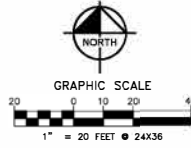
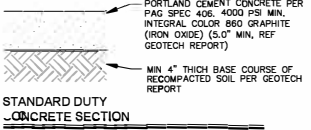
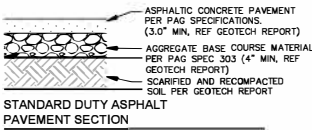
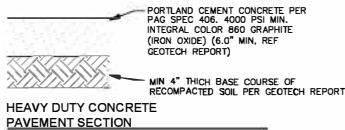
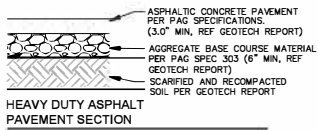
Date: 05/14/21

Project Number: 291344010

Drawn By: PAB/SJR

Sheet Number:

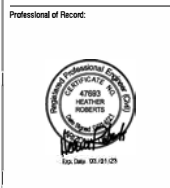
C-1
01 OF 02



Site: I-10 AND 51ST AVE PHOENIX, AZ, 85043 Restaurant #RC687

Designer's Information: Kimley-Horn

© 2021 KIMLEY-HORN AND ASSOCIATES, INC. 1001 W. SOUTHERN AVENUE, SUITE 131 MESA, ARIZONA 85202 (480) 207-2888



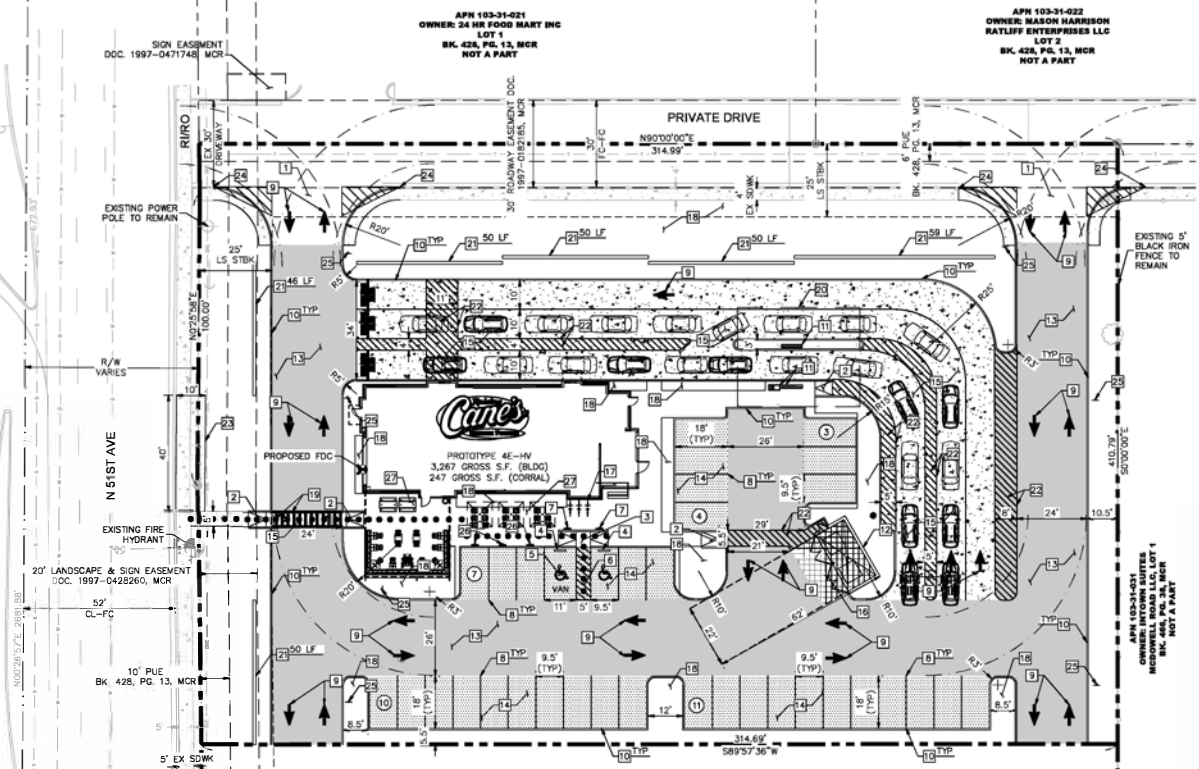
Permits: 4E-HY SCHEME A 2020-2 RELEASE
 Permit Issue Date: 7.14.2020
 Design Update Updates: INCLUDED
 Date Issued: Bulletin Number:
 7.14.2020

FINAL SITE PLAN

NO.	REVISIONS
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Site KEYNOTE PLAN AND FINAL SITE PLAN
 Date: 06/21
 Project Number: 291344810
 Drawn By: PAB/JSR
 Sheet Number:

C-2
 01 OF 02



- LEGEND**
- SECTION LINE
 - CENTER LINE
 - PROPERTY LINE
 - EXISTING RIGHT-OF-WAY LINE
 - RIGHT IN DRIVEWAY
 - RIGHT OUT DRIVEWAY
 - PROPOSED ADA PATH
 - INTEGRAL COLORED 860 GRAPHITE (IRON OXIDE) 4\"/>
 - HEAVY DUTY ASPHALT PAVEMENT. REFER TO PAVEMENT SECTION
 - HEAVY DUTY CONCRETE PAVEMENT AT TRASH ENCLOSURE PER COP REQUIREMENTS
 - STANDARD DUTY ASPHALT REFER TO PAVEMENT SECTION
 - FIRE TURNING RADIUS
 - PARKING SPACE COUNT

- GENERAL SITE NOTES**
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL CITY/COUNTY REGULATIONS AND CODES AND O.S.H.A. STANDARDS.
 - CONTRACTOR SHALL REFER TO THE ARCHITECTURAL/MEP PLANS FOR SITE LIGHTING & ELECTRICAL PLAN.
 - REFERENCE ARCHITECTURAL PLANS FOR DUMPSTER ENCLOSURE DETAILS.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS, (UNLESS OTHERWISE NOTED ON PLANS) INCLUDING BUT NOT LIMITED TO, ALL UTILITIES, STORM DRAINAGE, SIGNS, TRAFFIC SIGNALS & POLES, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES REQUIREMENTS AND PROJECT SITE WORK SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COSTS SHALL BE INCLUDED IN BASE BID.
 - ALL PROPOSED PAVING IN CITY R.O.W., EASEMENTS AND FIRE LANE TO CONFORM TO CITY OF PHOENIX DETAILS AND STANDARDS.
 - CONTRACTOR SHALL ADJUST EXISTING AND PROPOSED VALVES, MANHOLE RIMS, ETC. AS NECESSARY TO MATCH FINISHED GRADE.
 - REFERENCE LANDSCAPE PLANS FOR PROPOSED BUFFERS, SCREENING, AND PLANTING.
 - BUILDING IS FIRE SPRINKLED.

SITE DATA TABLE

RAISING CANE'S #687	
APN	103-31-024
ZONING	C-2 (CITY OF PHOENIX)
ZONING CASE	2-137-86-7
BUILDING HEIGHT	ALLOWED: 2 STORIES AND 30'
BUILDING SETBACKS (REQUIRED)	PROVIDED: 1 STORY AND 15'
LANDSCAPE SETBACK (REQUIRED)	WEST: 25', NORTH: 25'
LANDSCAPE SETBACK (REQUIRED)	WEST: 25', NORTH: 25'
TOTAL SITE AREA	143,313 SF OR 3.29 AC (GROSS)
CANES SITE AREA	121,229 SF OR 2.783 AC (NET)
	77,316 SF OR 1.77 AC (GROSS)
	66,794 SF OR 1.49 AC (NET)
REMAINDER SITE AREA	65,024 SF OR 1.51 AC (GROSS)
GROSS FLOOR AREA (F.A.R.)	56,366 SF OR 1.29 AC (NET)
GROSS FLOOR AREA	4,236
GROSS FLOOR AREA	3,267 SF
LOT COVERAGE	5%
PARKING	32 REQUIRED (1.50) SF IN PROVIDED

- STIPULATIONS (Z-137-86-7)**
 MODIFIED NOVEMBER 13, 1998
- THAT DEVELOPMENT BE IN GENERAL CONFORMANCE TO THE SITE PLAN DATED OCTOBER 9, 1988, AND THE SITE PLAN DATED MAY 7, 1992, AND ELEVATION DATED JUNE 4, 1997, FOR THE FOUR STORY HOTEL.
 - THAT ALL LANDSCAPE AREAS AND BUILDING SETBACKS BE MEASURED FROM ANY NEW PROPERTY LINES RESULTING FROM ADDITIONAL RIGHT-OF-WAY DEDICATION.
 - THAT MATURE LANDSCAPING, TO INCLUDE 24-INCH BOX SIZE SHADE TREES PLACED 20 FEET ON CENTER OR EQUIVALENT GROUPINGS, BE PROVIDED ALONG 51ST AVENUE AND MCDOWELL ROAD.
 - THAT ALL PARKING AREAS FRONTING ON 51ST AVENUE AND MCDOWELL ROAD BE APPROPRIATELY SCREENED BY WALLS AND/OR BERMS APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT.
 - THAT SUFFICIENT RIGHT-OF-WAY BE DEDICATED BY THE PROPERTY OWNER WITHIN ONE YEAR OF FINAL CITY COUNCIL ACTION TO PROVIDE:
 - ALL RIGHT-OF-WAY EASEMENTS TO BE DEDICATED IN FEE TITLE.
 - ALL 21' X 21' TRIANGLE AT THE INTERSECTION OF 51ST AVENUE AND MCDOWELL ROAD.
 - A 10' X 40' BUS BAY ALONG MCDOWELL ROAD.
 - ADDITIONAL RIGHT-OF-WAY, INCLUDING RIGHT TURN LANES AS MAY BE REQUIRED BY THE DEVELOPMENT SERVICES DEPARTMENT.



- CITY OF PHOENIX SITE PLAN NOTES**
- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE CODES AND ORDINANCES.
 - ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
 - ALL SIGNAGE REQUIRES SEPARATE APPROVALS AND PERMITS.
 - ANY LIGHTING WILL BE PLACED 30' AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED AT ANY LEVEL SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY USES OUTSIDE OF THE SITE.
 - OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
 - ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
 - ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS, LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTORS AND OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL PUBLIC STREETS.
 - STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM THE PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 5'.

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Bradley Wylam, Planner I, Assisting

July 21, 2021

ITEM NO: 3

DISTRICT 4

SUBJECT:

Application #: PHO-4-21--Z-137-86-7(4)
Location: Approximately 315 feet south of the southeast corner of 51st Avenue and McDowell Road
Existing Zoning: C-2
Acreage: 3.46
Request: 1) Modification to Stipulation 1 regarding general conformance to the site plans dated October 9, 1996 and May 7, 1997 and elevations dated June 4, 1997.
2) Technical corrections to Stipulations 4 and 5.d
Applicant: Nordean Moussalem
Owner: Raising Cane's Restaurants LLC
Representative: Luaron Foster

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Maryvale Village Planning Committee heard this request on July 14, 2021 and recommended approval by a vote of 9-0.

DISCUSSION

Nordean Moussalem, applicant, gave an overview of the request and stated that the Maryvale Village Planning Committee voted unanimously to recommend approval of the request. He stated that the access to the site will remain consistent with the stipulated plan with two entrances on the private road north of the site. He stated that the Raising Cane's restaurant will provide 2 drive-through lanes and an outdoor patio space. He stated that the proposed architecture will be consistent with the surrounding area but still provide a unique style that Raising Cane's restaurants are known for.

Adam Stranieri, Planning Hearing Officer, noted that the proposed site plan only depicts development on the northern 1.77 gross acres of the approximately 3.46 gross acre parcel. Luaron Foster, representative with Raising Cane's, stated that they are working on an agreement with other entities to purchase or develop the remaining property

within the existing parcel. Mr. Stranieri stated that he recommends that the northern portion of the site be in general conformance with the proposed site plan and elevations while retaining the stipulated plans for the remainder of the site. He stated that another PHO hearing would likely be required if the southern portion of the site was developed with a new land use varying from the stipulated plan. He noted that the Public Transit Department recommended a stipulation to remove a pedestrian opening at 51st Street and realign to the private drive to the north. He expressed concerns with the proposal to remove an access point to a public sidewalk to be replaced with either a second pathway adjacent to a sidewalk or to have pedestrians cross the drive-through exit lanes. He stated that he did not recommend adding this stipulation but supported the applicant continuing to discuss appropriate pedestrian pathways with staff during plan review.

FINDINGS

- 1) The applicant requested a modification to Stipulation 1 to replace the stipulated site plans and elevations. However, the proposed conceptual site plan and building elevation depict development only on the northern 1.77 gross acres of the approximately 3.46 gross acre parcel. It is not recommended to delete the existing general conformance requirements for the remaining 1.69 gross acres if no development is contemplated on this portion of the site. Therefore, it is recommended that Stipulation 1 be revised to refer to the northern and southern portions of the site separately. The northern portion is recommended to be in general conformance with the proposed plans in this request for the Raising Cane's drive-through restaurant and the remainder of the site to remain stipulated to the original plans. The proposed conceptual site plan and building elevation depict an approximately 3,267 square foot Raising Cane's drive-through restaurant. The proposal is compatible in scale and intensity with other commercial development in the surrounding area. General conformance to the plans is recommended.

DECISION: The Planning Hearing Officer recommended approval with a modification and an additional stipulation.

STIPULATIONS

Modified November 13, 1996	
1.	THE NORTHERN PORTION OF THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED MAY 17, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

	That THE SOUTHERN PORTION OF THE development SHALL be in general conformance to WITH the site plan dated October 9, 1996, and the site plan dated May 7, 1997, and elevation dated June 4, 1997, for the four story hotel, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2.	That All landscape areas and building setbacks SHALL be measured from any new property lines resulting from additional right-of-way dedication.
3.	That Mature landscaping, to include 24-inch box size shade trees placed 20 feet on center or equivalent groupings, SHALL be provided along 51st Avenue and McDowell Road.
4.	That All parking areas fronting on 51st Avenue and McDowell Road SHALL be appropriately screened by walls and/or berms approved by the PLANNING AND Development Services Department.
5.	That Sufficient right-of-way SHALL be dedicated by the property owner within one year of final City Council action to provide:
a.	All right-of-way easements to be dedicated in fee title.
b.	A 21' x 21' triangle at the intersection of 51st Avenue and McDowell Road.
c.	A 10' x 175' bus bay along McDowell Road.
d.	Additional right-of-way, including right turn lanes as may be required by the PLANNING AND Development Services Department.
6.	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.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotope or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.

Motion:

Mike Weber motioned to recommend approval of Z-SP-2-21-5 per the staff recommendation. **Ken Dubose** seconded the motion.

Discussion:

Jeff O'Toole asked staff to share information on abstentions at the next meeting.

Vote:

7-1-1, motion to approve passes with Committee Members Barba, Demarest, DuBose, O'Toole, Valenzuela, Weber and Derie in favor and Committee Member Oviedo opposed and Garcia abstaining.

5. **PHO-4-21--Z-137-86-7(4):** Presentation, discussion, and possible recommendation regarding a request to modify stipulations of entitlement for the property located approximately 315 feet south of the southeast corner of 51st Avenue and McDowell Road. Request to modify stipulation number 1 regarding general conformance to the site plans and elevations and technical corrections to stipulation numbers 4 and 5.d.

Sarah Stockham, staff, displayed an aerial map and reviewed the surrounding zoning, land uses, additional policy plan guidance and the site history. Ms. Stockham reviewed the request to modify existing stipulations of entitlement and the proposal for a Raising Cane's on the site.

Sandra Oviedo asked how this proposal will impact safety for children, and if the site will incorporate active transportation features given its location adjacent to a proposed light rail station at 51st Avenue and the I-10 Freeway. **Ms. Stockham** deferred the question to the applicant to address during their presentation.

Ken DuBose asked for clarification on the request. **Ms. Stockham** explained that this request is not to change the underlying zoning but to modify the existing stipulations of entitlement for the subject site.

Nordean Moussalem, representing the applicant with PM Design Inc, introduced himself as the architect and reviewed the proposal to place a Raising Cane's on the subject site.

Sandra Oviedo asked if the applicant had worked with staff on incorporating active transportation elements such as bike parking or bike lanes on the site. **Mr. Moussalem** replied that there is a bus stop nearby and they can explore adding bicycle parking on the subject site.

Ken DuBose asked if this project will be the same as the Raising Cane's location at 99th Avenue and McDowell Road, with committee members **Joe Barba** and **Chris Demarest** adding other locations Raising Cane's in Maryvale. **Mr. Moussalem** replied that the subject site will be like existing locations in terms of materials and elevations, and that some layouts are from another prototype.

Mike Weber shared concern for traffic mitigation and shared an example of an existing location at 44th Street and Thomas Road where traffic for the drive-through backs up onto the travel lane.

Motion:

Mike Weber motioned to recommend approval. **Joe Barba** seconded the motion.

Discussion:

None.

Vote:

9-0, motion to approve passes with Committee Members Barba, Demarest, DuBose, Garcia, O'Toole, Oviedo, Valenzuela, Weber and Derie in favor.

6. **PHO-2-21--Z-16-00-5:** Presentation, discussion, and possible recommendation regarding a request to modify stipulations of entitlement for the property located at the northeast corner 45th Avenue and Indian School Road. Request to delete stipulation number 1 regarding general conformance to the site plan, wall and landscape treatments, and elevations; request to delete stipulation number 2 regarding the color, materials, and height of the pump island canopy; request to delete stipulation number 3 regarding the design of pump island canopy columns; and request to delete stipulation number 4 regarding light fixtures on the pump island canopy.

Sarah Stockham, staff, displayed an aerial map and reviewed the surrounding zoning, land uses and the site history. Ms. Stockham reviewed the request to modify existing stipulations of entitlement and the proposal for retail and restaurant uses on the site.

Chris Demarest shared that a charter school, Liberty Traditional, is also located south of the subject site.

Ashley Marsh, representing the applicant with Gammage & Burnham, reviewed the subject site history, surrounding uses and zoning, and displayed the proposed site plan, elevations and renderings of the proposed retail and restaurant site.

Chris Demarest shared that he is a member of the church directly south of the subject site, and while the church is in favor of the request there is a concern with the location of the patio and proposed outdoor alcohol consumption in proximity to the church and school. **Ms. Marsh** replied that the outdoor patio is oriented to the east of the site, as far away from the school as possible.

Joe Barba added that there is usually a gate installed around the outdoor patio which seems to keep patrons near the restaurant. **Ms. Marsh** replied that yes, a gate is usually installed, and they are working on the specifics for this site.