

To: Departments Concerned

- Date: November 19, 2019
- From: Alan Stephenson Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. Z-SP-5-14-4 – Notice of Pending Actions by the Planning Hearing Officer

- 1. Your attention is called to the fact that the <u>Planning Hearing Officer</u> will consider the following case at its meeting on **December 18, 2019**.
- 2. Information about this case is available for review at the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
- 3. Please indicate your course of action, sign and return copy of this notice to the City of Phoenix Planning and Development Department, Zoning Division, 200 West Washington Street 2nd Floor, Phoenix, AZ 85003 by **November 26, 2019**.
 - □ Will arrange to review case file no later than
 - Will resolve problems with the owner and contact you no later than _____
 - □ We do not anticipate any problems in connection with the cases listed on this subject notice.

Signature

Date

DISTRIBUTION (*Electronically*): Mayor's Office (Lisa Fernandez) - 11th Floor Council District Office (Penny Parrella) – 11th Floor Aviation (Randy Payne, Sheldon Daisley, Aviation Planning) - 2485 E. Buckeye Rd. Community & Economic Development (Eric Johnson) - 20th Floor Fire Prevention (Brent Allsopp) – 2nd Floor Finance Admin (Barry Page) - 251 W. Washington - 8th Floor Neighborhood Services (Gregory Gonzales) - 4th Floor Parks & Recreation (Natasha Hughes) - 16th Floor Public Transit (Kathryn Boris) - 302 N. 1st Ave., Ste 800 Public Transit/Light Rail Project (Samantha Keating/Special TOD Only) Public Works (Kristina Jensen, Roxanne Tapia, Ray Dovalina, Rudy Rangel) – 5th Floor Water Services (Don Reynolds) – 8th Floor Planning and Development (Alan Stephenson, Joshua Bednarek) - 3rd Floor Planning and Development/Information Services (Ben Ernyei) - 4th Floor Planning and Development (Kevin Weight) – Historic Preservation Office – 3rd Floor Planning Hearing Officer (Tricia Gomes, Adam Stranieri) – 2nd Floor Village Planner (Samantha Keating, Encanto) Village Chair (Jake Adams, Encanto)



PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-2-19--Z-SP-5-14

Council District: 4

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation 1 regarding general conformance to the site plan date stamped February 2, 2018 and elevations date stamped February 2, 2018.

Owner	Applicant	Representative
Quick N Clean 44 LLC/4201 N 7th SP LLC	Piazza Restaurant Development	Susan Demmitt, Gammage & Burnham PLC
4201 North 7th Street	2 North Central Avenue, 15th Floor	2 North Central Avenue, 15th Floor
Phoenix AZ 85014	Phoenix AZ 85004	Phoenix AZ 85004
(602) 256-4456	(602) 256-4456	P: (602) 256-4456 F: (602) 256-4475
sdemmitt@gblaw.com	sdemmitt@gblaw.com	sdemmitt@gblaw.com

Property Location: Approximately 420 feet north of the northeast corner of 7th Street and Indian School Road

Zoning Map: <u>H-8</u> Qu	uarter Section: <u>17-29</u>	APN: <u>155-17-001</u>	Acreage: <u>3.13</u>
Village:	Encanto		
Last Hearing:	CC HEARING		
Previous Opposition:	No		
Date of Original City Council Action:	02/04/2015 300 PM		
Previous PHO Actions:	04/18/2018		
Zoning Vested:	C-2 HGT/WVR SP		
Supplemental Map No.:			
Planning Staff:	076885		

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	11/01/2019	19-0097044	Original Filing Fee

Signature of Applicant:		DATE:
	Hearing Results	
Planning Hearing Officer	Planning Commission	City Council
Date: 12/18/2019 1000 AM	Date:	Date:
Appealed?:	Appealed?:	
Action:	Action:	Action:

GAMMAGE & BURNHAM, PLC

ATTORNEYS AT LAW TWO NORTH CENTRAL AVENUE 15TH FLOOR PHOENIX, ARIZONA 85004

November 15, 2019

Susan E. Demmitt sdemmitt@gblaw.com

(602) 256-4456

Mr. Adam Stranieri Planning Hearing Officer City of Phoenix Planning & Development Department 200 West Washington Street, 2nd Floor Phoenix, Arizona 85003

> Re: <u>Amended Planning Hearing Officer Stipulation Modification Application for</u> property generally located +/- 125 feet south of the southeast corner of 7th Street and Devonshire Avenue / Case Nos. PHO-1-18-Z-118-14-4 and PHO-1-18-Z-SP-5-14-4.

Dear Mr. Stranieri:

We represent 7th / Devonshire DB LLC ("7th / Devonshire"), which is proposing to develop the approximate 1.17 acres generally located at the southeast corner of 7th Street and Devonshire with a restaurant pad and drive-through oriented business. See <u>Tab A</u> – 7th/Devonshire Aerial *Map*. The 7th / Devonshire property is comprised of Maricopa County APNs 115-17-001, -002, -004, and -082. Of those parcels, Maricopa County APNs 115-17-001 and -082 were included as part of the prior zoning cases Z-118-14-4 / Z-SP-5-14-4 ("2015 Zoning Cases") and PHO-1-18-Z-118-14-4 / PHO-1-18-Z-SP-5-14-4 ("2018 Zoning Cases"). Maricopa County APN 155-17-081, which is improved with a 3-story self-storage facility, was also zoned in the 2015 and 2018 Zoning Cases. See <u>Tab B</u> – *PHO Aerial Map*. The remaining 7th / Devonshire parcels, Maricopa County APNs 115-17-002 and -004, were not included as part of the 2015 Zoning Cases or the 2018 Zoning Cases, but instead were separately zoned C-2 and are not subject to this application. The purpose of this letter is to modify Stipulation No. 1 of the 2018 PHO Cases to reflect the new proposed site plan and elevations for the 7th / Devonshire development. See <u>Tab C</u> – *Comparison Aerial Map*.

In 2015, the Phoenix City Council approved Ordinance Nos. G-5995 and 5996 as part of the 2015 Zoning Cases, which rezoned the approximate 3.13 acres (Maricopa County APNs 115-17-001, -081, and -082) generally located at the southeast corner of 7th Street and Devonshire Avenue to C-2 with Height Waiver and Special Permit for Self Storage Facility and all underlying

November 15, 2019 Page 2

C-2 uses. The 2015 Zoning Cases were each subject to the same 5 stipulations. Specifically, Stipulation No. 1 required general conformance to a site plan and building elevations for a self-storage facility and retail/restaurant pad and drive-through along the 7th Street frontage. See <u>Tab</u> <u>D</u> – Ordinance Nos. G-5995 and G-5996 and 2015 Stipulated Site Plan and Building Elevations. The self-storage facility was subsequently constructed, however, the retail/restaurant pad property remained vacant.

In 2018, the Planning Hearing Officer approved the 2018 Zoning Cases (ratified by the City Council in Ordinance Nos. G-6449 and G-6450), which modified Stipulation No. 1 of the 2015 Zoning Cases to require general conformance to a site plan and building elevations for a car wash in place of the retail/restaurant pad and drive-through. The 2015 stipulated site plan and building elevations remained in effect for the self-storage facility, which has been constructed. The 2018 Zoning Cases also introduced two additional stipulations related to airport proximity disclosure and a Proposition 207 Waiver. See Tab E – Ordinance No. G-6449 and G-6450 and 2018 Stipulated Site Plan and Building Elevations.

 7^{th} / Devonshire is proposing to modify Stipulation No. 1 of the 2018 Zoning Cases to replace the site plan and building elevations for the car wash with a site plan and building elevations for a restaurant pad and drive-through oriented business. See <u>Tab F</u> – *Proposed Site Plan and Elevations*. The remaining 6 stipulations in the 2018 Zoning Cases will remain unchanged.

The specific modification to Stipulation No. 1 in Z-118-14-4 is as follows:

- The development shall be in general conformance to the site plan date stamped October 27, 2014 and January 10, 2018 and elevations date stamped October 27, 2014, <u>AND</u> January 13, 2015 <u>FOR THE SELF-STORAGE FACILITY</u>, and February 2, 2018, <u>AND TO THE SITE PLAN AND ELEVATIONS DATE STAMPED [INSERT DATE] FOR THE RESTAURANT PAD WITH DRIVE-THROUGH</u>, with specific regard to:
 - a. The sidewalk along 7th Street shall be detached from the curb;
 - b. Maximum east elevation building height of 39 feet.

The specific modification to Stipulation No. 1 in Z-SP-5-14-4 is as follows:

- The development shall be in general conformance to the site plan date stamped October 27, 2014 and February 2, 2018 and elevations date stamped October 27, 2014, AND January 13, 2015 FOR THE SELF STORAGE FACILITY and February 2, 2018, AND TO THE SITE PLAN AND ELEVATIONS DATE STAMPED [INSERT DATE] FOR THE RESTAURANT PAD WITH DRIVE THROUGH, with specific regard to:
 - a. The sidewalk along 7th Street shall be detached from the curb;

November 15, 2019 Page 3

b. Maximum east elevation building height of 39 feet.

The proposed restaurant and drive-through business is comprised of an 886 sf restaurant building (used for employees only, no public access) and a 720 sf shaded, outdoor patio oriented towards 7th Street. The restaurant building is 20-feet in height, with a 25-foot tower element, and services a dual drive-through lane that funnels to a single service window. A secondary exit lane is maintained. A total of 37 parking spaces are provided where 15 are required. 26 parking spaces are located along the Devonshire Avenue frontage with an additional 11 parking spaces located along the southern property line. Vehicular access to the southernmost parking spaces only. A cross-access easement exists. The 7th Street and Devonshire Avenue landscape buffers will be 25-feet in width and include trees along the sidewalks to provide shade as required by the existing zoning stipulations. Primary access to the property will be from an existing driveway along 7th Street with a secondary access point along Devonshire Avenue, also utilizing an existing driveway. A separate Zoning Administrator application will be filed to secure the necessary use permits for the drive-through and outdoor patio.

Should you have any questions or require additional information prior to scheduling this for public hearing, please do not hesitate to contact me at (602) 256-4456 or sdemmitt@gblaw.com. Thank you.

Sincerely,

GAMMAGE & BURNHAM, P.L.C.

Susan E. Demmitt

SED/nas

Tab A

Tab A – 7th /DEVONSHIRE AERIAL MAP



Tab B

Tab B – PHO AERIAL MAP



Tab C

Tab C - COMPARISON AERIAL MAP



Tab D

OFFICAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL 20150093788 02/13/2015 09:23 #5995G ELECTRONIC RECORDING (6 pages)

ORDINANCE G-5995

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-118-14-4) FROM C-2 (INTERMEDIATE COMMERCIAL) TO C-2 HGT/WVR (INTERMEDIATE COMMERCIAL HEIGHT WAIVER).

WHEREAS, on October 27, 2014, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Ed Bull of Burch & Cracchiolo P.A., having authorization to represent the owner, Gary and Kathleen Steele Family Trust of an approximately 3.13 acre property located approximately 420 feet north of the northeast corner of 7th Street and Indian School Road in a portion of Section 21, Township 2 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on January 13, 2015, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on February 4, 2015, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 3.13 acre property located approximately 420 feet north of the northeast corner of 7th Street and Indian School Road in a portion of Section 21, Township 2 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "C-2" (Intermediate Commercial) to "C-2 HGT/WVR" (Intermediate Commercial Height Waiver) and that the Planning and Development Director is instructed to modify <u>The Zoning Map of the City of Phoenix</u> to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-118-14-14, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the

-2-

City of Phoenix Zoning Ordinance:

- 1. The development shall be in general conformance to the site plan date stamped October 27, 2014, and elevations date stamped October 27, 2014, and January 13, 2015, with specific regard to:
 - a. Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;
 - b. The sidewalk along 7th Street shall be detached from the curb;
 - c. Maximum east elevation building height of 39 feet.
- 2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.
- 3. The development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:
 - a. a minimum of two spaces to serve the self-storage facility;
 - b. a minimum of one space per 500 square feet for general retail;
 - c. a minimum of one space per 300 square feet for a restaurant/bar.
- 4. A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
- 5. That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

SECTION 3: If any section, subsection, sentence, clause, phrase or

portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity

of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of February,

ATTEST:

2015.

- Me City Clerk

APPROVED AS TO FORM:

Acting City Attorney pm

REVIEWED BY:

City Manager

PL:tml:1165090v (CM#17) (Item #22) - 2/4/15

Attachments: A - Legal Description (1 Page) B – Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-114-14-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, IS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS

PARCEL NO. 1: (APN 155-17-001)

The West 50 feet of the East 105 feet of Lot 1, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 2: (APN 155-17-005 & APN 155-17-006)

Lots 2 and 3, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The West 7 feet of Lots 2 and 3.

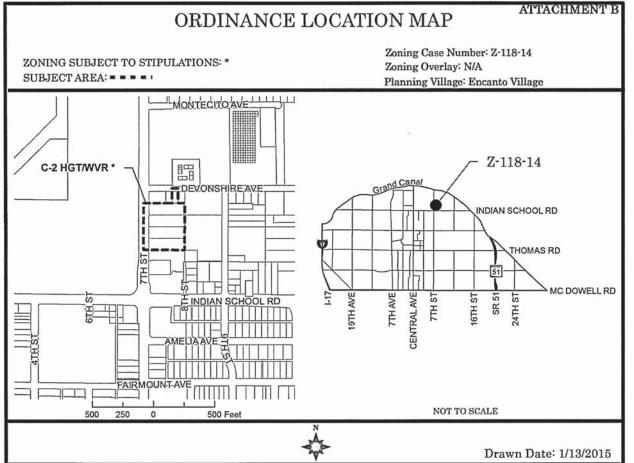
PARCEL NO. 3: (APN 155-17-007)

Lot 4, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 4: (APN 155-17-008)

Lot 5, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The East 5 feet for ditch as set forth on Deed recorded in Book 187 of Deeds, Page 447.



S:\Department Share\S Share\PL GIS\S_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2015 Ord\Formal_Feb_4_2015\Z-118-14.mxd

Ordinance G-5995

-6-

OFFICAL RECORDS OF MARICOPA COUNTY RECORDER HELEN PURCELL 20150093833 02/13/2015 09:35 #5996G ELECTRONIC RECORDING (6 pages)

ORDINANCE G-5996

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-SP-5-14-4) FROM C-2 HGT/WVR (INTERMEDIATE COMMERCIAL HEIGHT WAIVER) TO C-2 HGT/WVR SP (INTERMEDIATE COMMERCIAL HEIGHT WAIVER SPECIAL PERMIT) TO ALLOW A SELF-STORAGE FACILITY AND ALL UNDERLYING C-2 USES.

WHEREAS, on October 27, 2014, the City of Phoenix Planning and Development Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Ed Bull of Burch & Cracchiolo PA, having authorization to represent the owner, Gary and Kathleen Steele Family Trust of an approximately 3.13 acre property located approximately 420 feet north of the northeast corner of 7th Street and Indian School Road in a portion of Section 21, Township 2 North, Range 3 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on January 13, 2015, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on February 4, 2015, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 3.13 acre property located approximately 420 feet north of the northeast corner of 7th Street and Indian School Road in a portion of Section 21, Township 2 North, Range 3 East, as described more specifically in Attachment "A", is hereby changed from "C-2 HGT/WVR" (Intermediate Commercial Height Waiver) to "C-2 HGT/WVR SP" (Intermediate Commercial Height Waiver) to "C-2 HGT/WVR SP" (Intermediate Commercial Height Waiver) to allow a self-storage facility and all underlying uses and that the Planning and Development Director is instructed to modify <u>The Zoning Map of the City of Phoenix</u> to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-SP-5-14-4, on file with the Planning and Development Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following

-2-

stipulations, violation of which shall be treated in the same manner as a violation of the

City of Phoenix Zoning Ordinance:

.

- 1. The development shall be in general conformance to the site plan date stamped October 27, 2014, and elevations date stamped October 27, 2014, and January 13, 2015, with specific regard to:
 - a. Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;
 - b. The sidewalk along 7th Street shall be detached from the curb;
 - c. Maximum east elevation building height of 39 feet.
- 2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.
- The development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:
 - a. a minimum of two spaces to serve the self-storage facility;
 - b. a minimum of one space per 500 square feet for general retail;
 - c. a minimum of one space per 300 square feet for a restaurant/bar.
- 4. A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
- 5. That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.

SECTION 3: If any section, subsection, sentence, clause, phrase or

portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity

of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 4th day of February,

Acting City Attorney pm

2015.



ATTEST:

City Clerk (

APPROVED AS TO FORM:



REVIEWED BY:

City Manager

PL:tml:1165081v1 (M#8) (Item #23) - 2/4/15

Attachments: A - Legal Description (1 Page) B – Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-SP-5-14-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, IS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: (APN 155-17-001)

The West 50 feet of the East 105 feet of Lot 1, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 2: (APN 155-17-005 & APN 155-17-006)

Lots 2 and 3, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The West 7 feet of Lots 2 and 3.

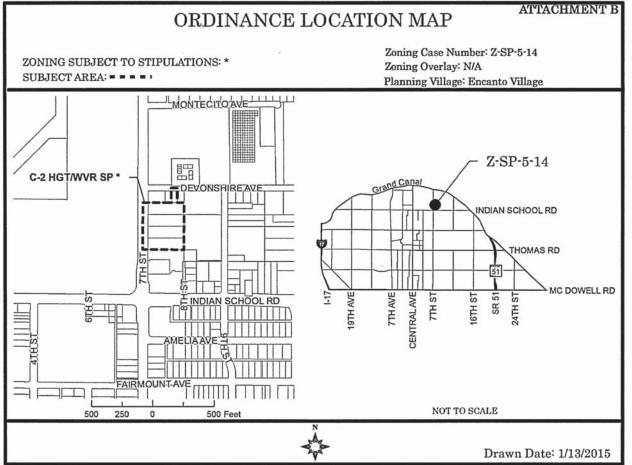
PARCEL NO. 3: (APN 155-17-007)

Lot 4, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 4: (APN 155-17-008)

Lot 5, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The East 5 feet for ditch as set forth on Deed recorded in Book 187 of Deeds, Page 447.



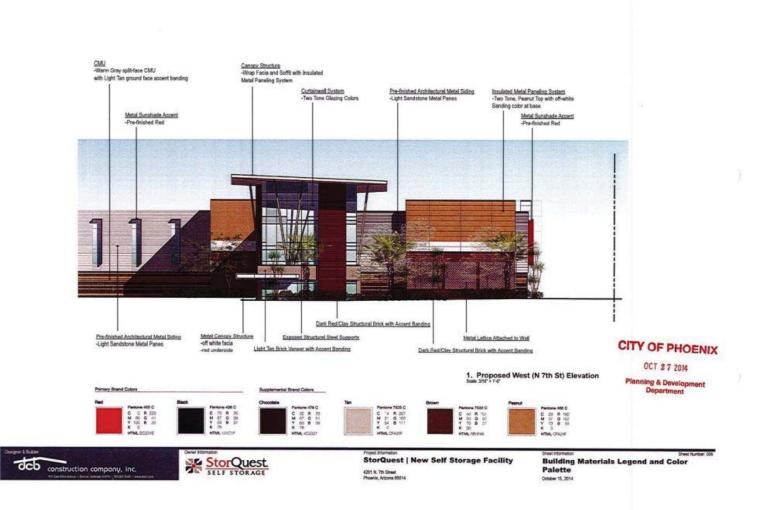
S:\Department Share\VS Share\VL GIS\VS_Team\Core_Functions\Zoning\SuppMaps_OrdMaps\2015 Ord\Formal_Feb_4_2015\Z-SP-5-14.mxd

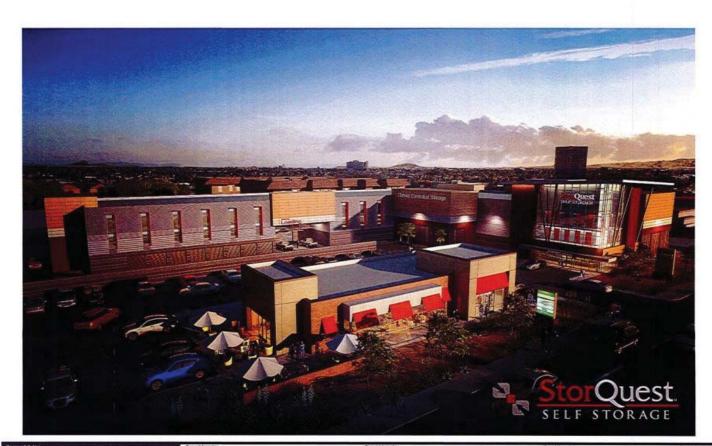
Ordinance G-5996

-6-









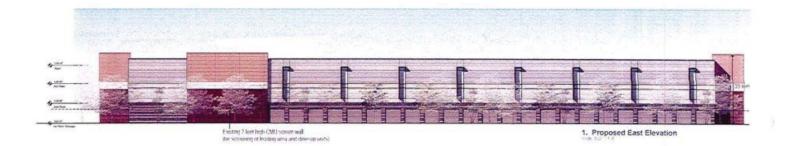
construction company, inc.

StorQuest SELF STORAGE OCT 27 2014 Planning & Development Department Traped Internation StorQuest | New Self Storage Facility 4201 N. 7h Street Promit, Action 80014 Perspective Rendering View from N. 7th Street October 15, 2014

CITY OF PHOENIX

JAN 1 3 2015

Planning & Development Department





StorQuest | New Self Storage Facility 2011/16 Seat Press Read Division Concept Building Elevations

Tab E

Official Records of Maricopa County Recorder ADRIAN FONTES 20180318487 04/26/2018 02:42 ELECTRONIC RECORDING 6449G-5-1-1--

ORDINANCE G-6449

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-118-14-4 PREVIOUSLY APPROVED BY ORDINANCE G-5995.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable located approximately 121

feet south of the southeast corner of 7th Street and Devonshire Avenue in a portion of

Section 21, Township 2 North, Range 3 East, as described more specifically in

Attachment "A," are hereby modified to read as set forth below.

STIPULATIONS:

- 1. The development shall be in general conformance to the site plan date stamped October 27, 2014 AND JANUARY 10, 2018 and elevations date stamped October 27, 2014 and January 13, 2015 AND FEBRUARY 2, 2018 with specific regard to:
 - Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;
 - b. a. The sidewalk along 7th Street shall be detached from the curb;
 - c.-b. Maximum east elevation building height of 39 feet.
- 2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.

- 3. That development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:
 - a. a minimum of two spaces to serve the self-storage facility;
 - b. a minimum of one space per 500 square feet for general retail;
 - c. a minimum of one space per 300 square feet for a restaurant/bar.
- A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
- 5. That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.
- 6. THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.
- 7. 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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-5995, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5995 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or

portion of this ordinance is for any reason held to be invalid or unconstitutional by the

Ordinance G-6449

2

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 18th day of April, 2018. MAYOR ATTEST: City Clerk APAROV程D AS TO FORM: Acting City Attorney Pm 1 **REVIEWED BY:** 200 City Manager

PL:tml:LF18-0960:Item 100:4/18/18:2029968v1

Exhibits:

A - Legal Description (2 Pages) B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18--Z-118-14-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, IS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1: (APN 155-17-001)

The West 50 feet of the East 105 feet of Lot 1, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 2: (APN 155-17-005 & APN 155-17-006)

Lots 2 and 3, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The West 7 feet of Lots 2 and 3.

PARCEL NO. 3: (APN 155-17-007)

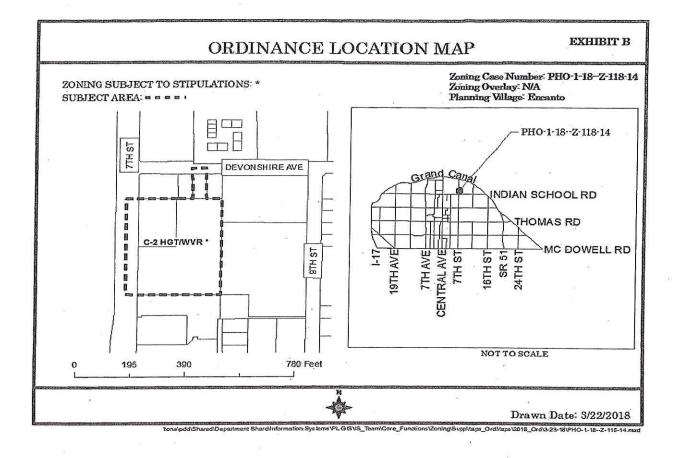
Lot 4, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 4: (APN 155-17-008)

Lot 5, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The East 5 feet for ditch as set forth on Deed recorded in Book 187 of Deeds, Page 447.

Ordinance G-6449



Ordinance G-6449

5

Official Accords of Maricopa County Recorder ADRIAN FONTES 20180318485 04/26/2018 02:42 ELECTRONIC RECORDING 6450G-5-1-1--

ORDINANCE G-6450

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-SP-5-14-4 PREVIOUSLY APPROVED BY ORDINANCE G-5996.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable located approximately 121

feet south of the southeast corner of 7th Street and Devonshire Avenue in a portion of

Section 21, Township 2 North, Range 3 East, as described more specifically in

Attachment "A," are hereby modified to read as set forth below.

STIPULATIONS:

- 1. The development shall be in general conformance to the site plan date stamped October 27, 2014 AND, FEBRUARY 2, 2018 and elevations date stamped October 27, 2014, and January 13, 2015 AND FEBRUARY 2, 2018, with specific regard to:
 - Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;
 - b. a. The sidewalk along 7th Street shall be detached from the curb:
 - c.-b. Maximum east elevation building height of 39 feet.
- 2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.
- 3. That development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:

- a. a minimum of two spaces to serve the self-storage facility;
- a minimum of one space per 500 square feet for general retail;
- c. a minimum of one space per 300 square feet for a restaurant/bar.
- 4. A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
- 5. That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.
- 6. THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.
- 7. 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.

SECTION 2. Due to the site's specific physical conditions and the use

district granted pursuant to Ordinance G-5996, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5996 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

2

Ordinance G-6450

PASSED by the Council of the City of Phoenix this 18th day of April, 2018. MAYOR ATTEST: City Clerk APPROVED AS TO FORM:

Acting City Attorney PM

REVIEWED BY:

City Manager

PL:tml:LF18-0963:ltem 99:4/18/18:2030240v1

Exhibits:

A - Legal Description (2 Pages) B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-18-- Z-SP-5-14-4

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, IS A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN AND IS DESCRIBED AS FOLLOWS: PARCEL NO. 1: (APN 155-17-001)

The West 50 feet of the East 105 feet of Lot 1, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 2: (APN 155-17-005 & APN 155-17-006)

Lots 2 and 3, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

EXCEPT The West 7 feet of Lots 2 and 3.

PARCEL NO. 3: (APN 155-17-007)

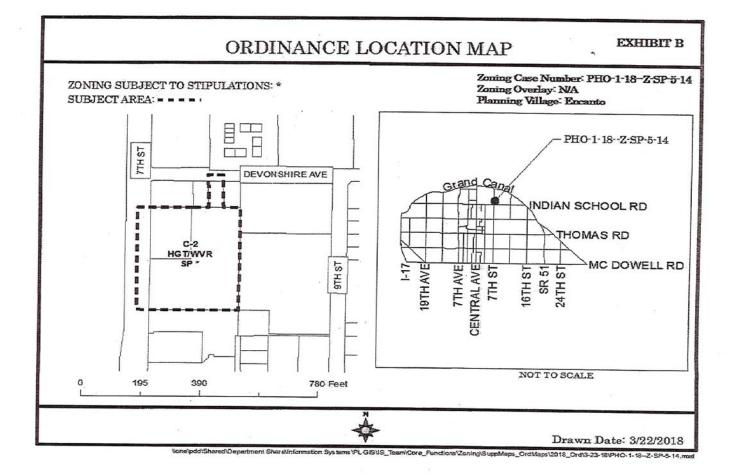
Lot 4, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona.

PARCEL NO. 4: (APN 155-17-008)

Lot 5, Block 1, CHESTERFIELD PLACE, according to Book 6 of Maps, Page 7, records of Maricopa County, Arizona;

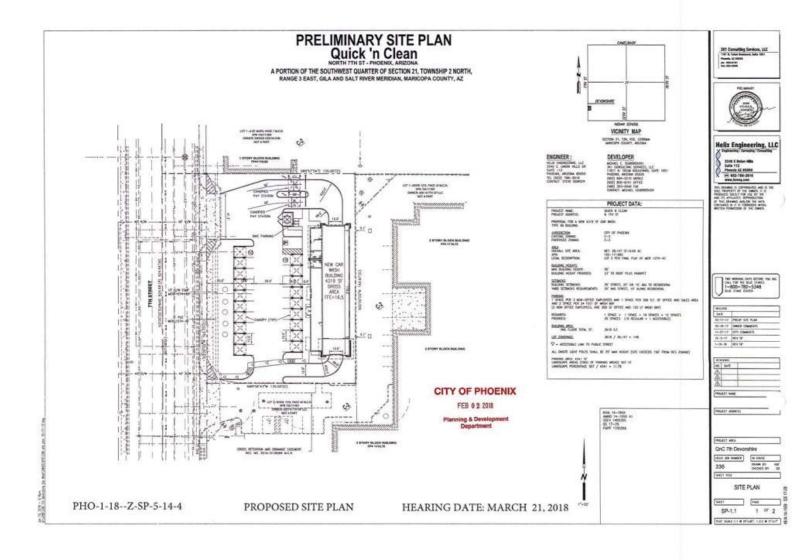
EXCEPT The East 5 feet for ditch as set forth on Deed recorded in Book 187 of Deeds, Page 447.

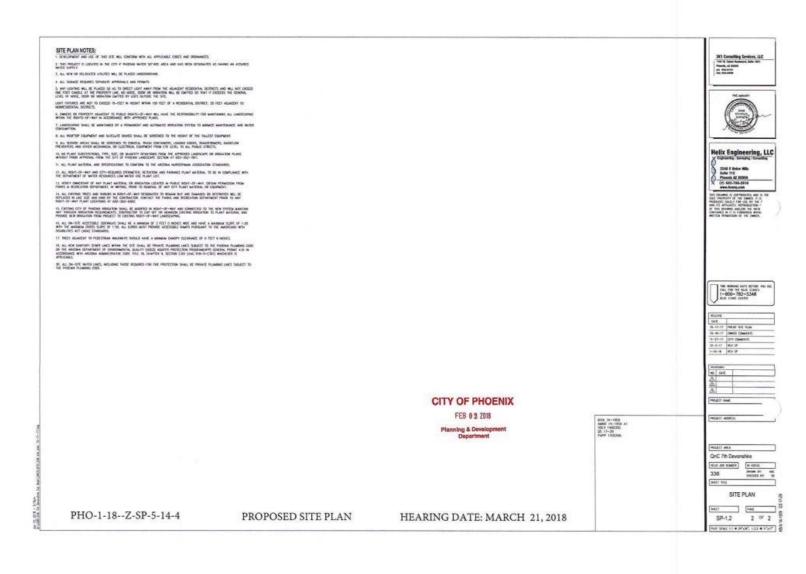
Ordinance G-6450

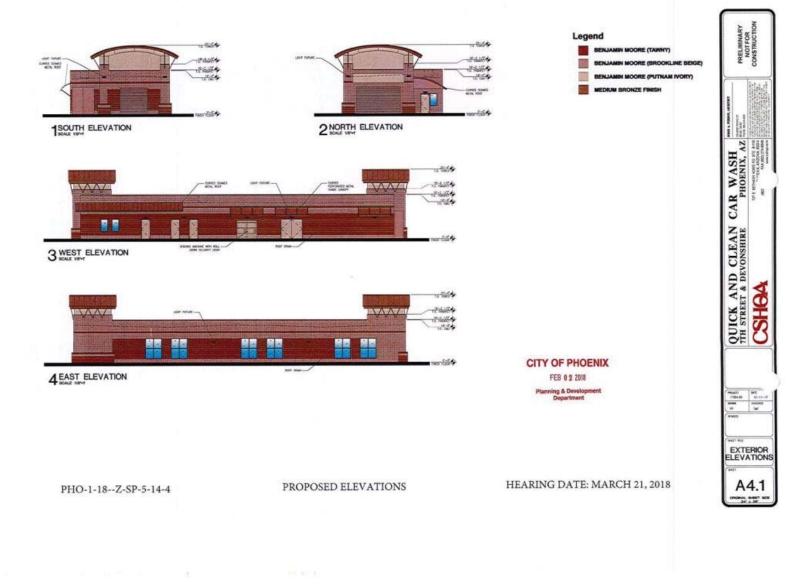


Ordinance G-6450

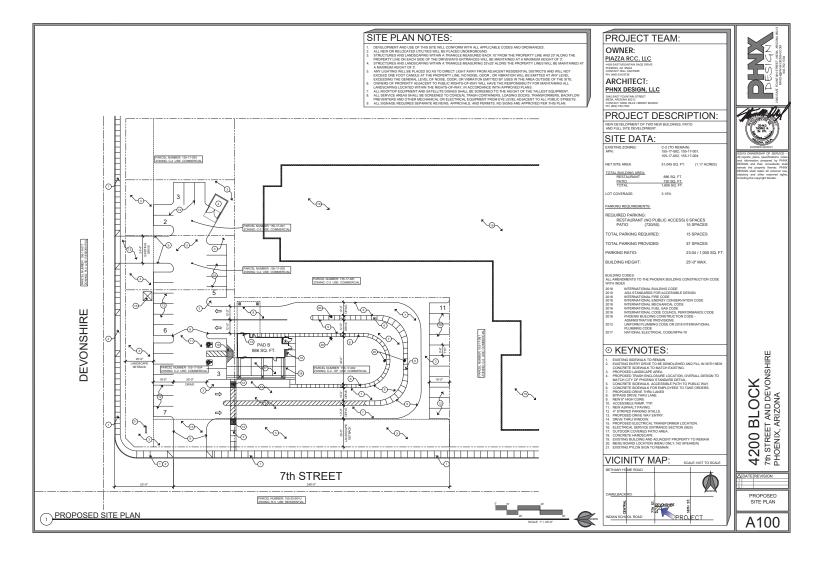
5







Tab F



Official Records of Maricopa County Recorder ADRIAN FONTES 20180318485 04/26/2018 02:42 ELECTRONIC RECORDING 6450G-5-1-1--

ORDINANCE G-6450

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-SP-5-14-4 PREVIOUSLY APPROVED BY ORDINANCE G-5996.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as

follows:

SECTION 1. The zoning stipulations applicable located approximately 121

feet south of the southeast corner of 7th Street and Devonshire Avenue in a portion of

Section 21, Township 2 North, Range 3 East, as described more specifically in

Attachment "A," are hereby modified to read as set forth below.

STIPULATIONS:

1

- The development shall be in general conformance to the site plan date stamped October 27, 2014 AND, FEBRUARY 2, 2018 and elevations date stamped October 27, 2014, and January 13, 2015 AND FEBRUARY 2, 2018, with specific regard to:
 - a. Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;
 - b. a. The sidewalk along 7th Street shall be detached from the curb;

c.-b. Maximum east elevation building height of 39 feet.

- 2. Required trees in the 7th Street and Devonshire Avenue landscape setbacks shall be placed adjacent to the sidewalk in order to provide shade for pedestrians, as approved by the Planning and Development Department.
- 3. That development shall provide bicycle parking with an inverted-U design, as approved by the Planning and Development Department, as follows:

- a minimum of two spaces to serve the self-storage facility;
- a minimum of one space per 500 square feet for general retail;
- c. a minimum of one space per 300 square feet for a restaurant/bar.
- A 10-foot sidewalk easement shall be dedicated on the 7th Street frontage, as approved by the Planning and Development Department.
- 5. That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.
- THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.
- 7. 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.

SECTION 2. Due to the site's specific physical conditions and the use

district granted pursuant to Ordinance G-5996, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-5996 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.



MAYOR

PASSED by the Council of the City of Phoenix this 18th day of April, 2018.

ATTEST:

City Clerk

APPROVED AS TO FORM: Acting City Attorney Pm

REVIEWED BY:

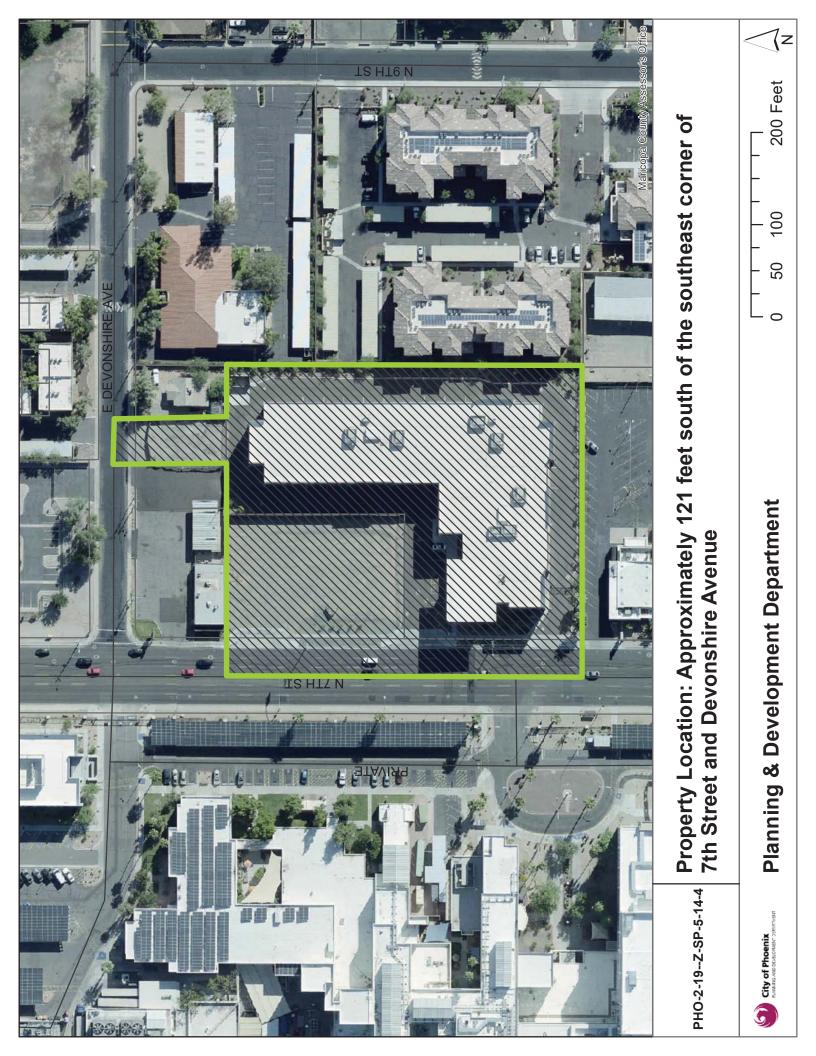
City Manager

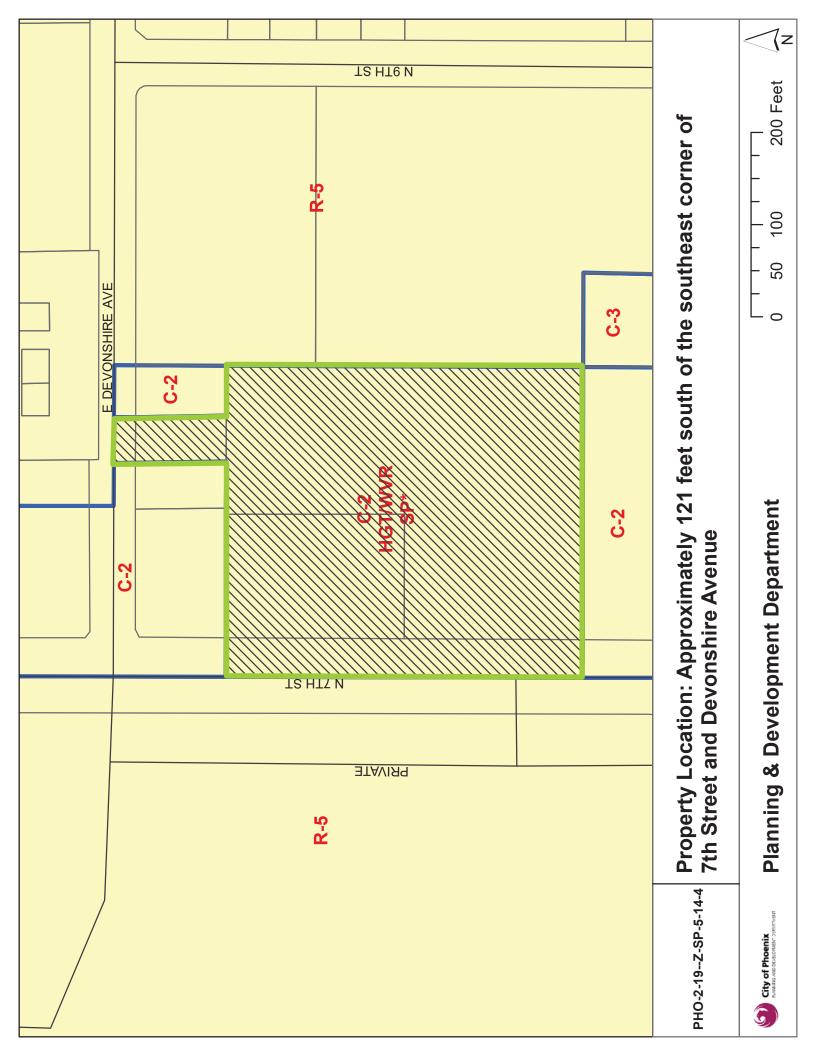
PL:tml:LF18-0963:Item 99:4/18/18:2030240v1

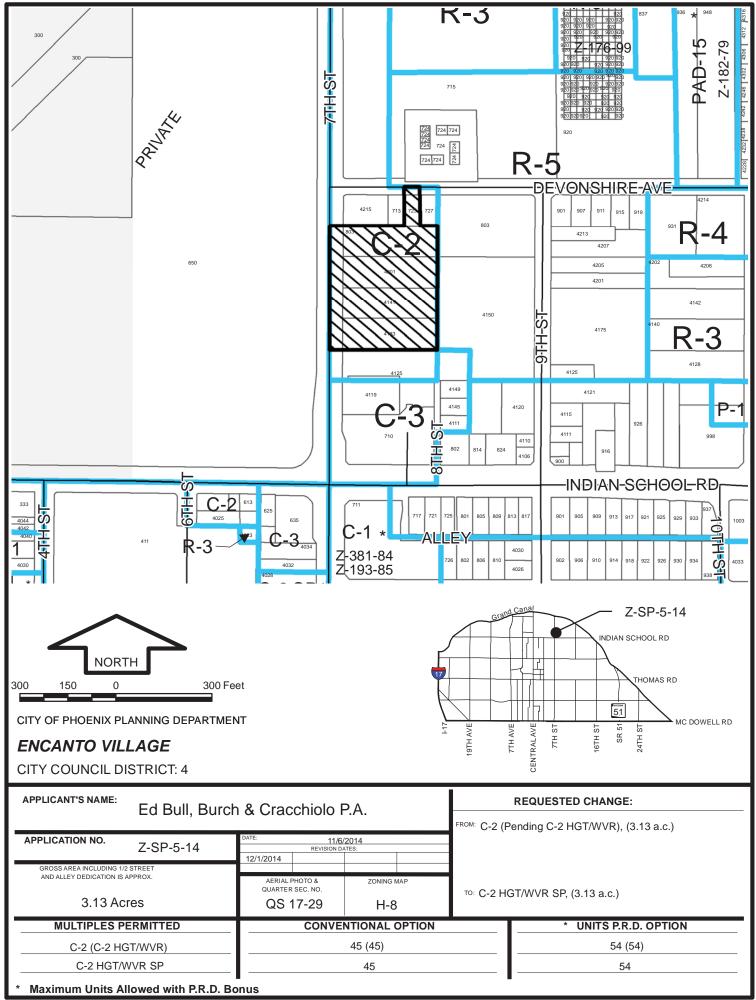
Exhibits:

A - Legal Description (2 Pages)

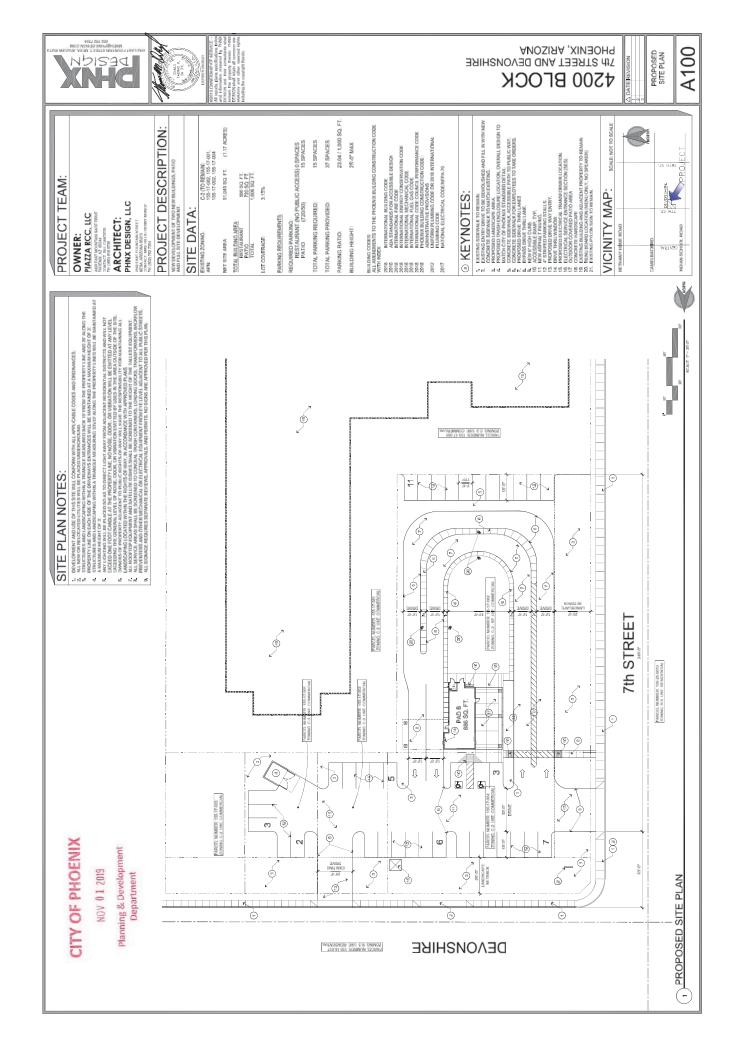
B - Ordinance Location Map (1 Page)

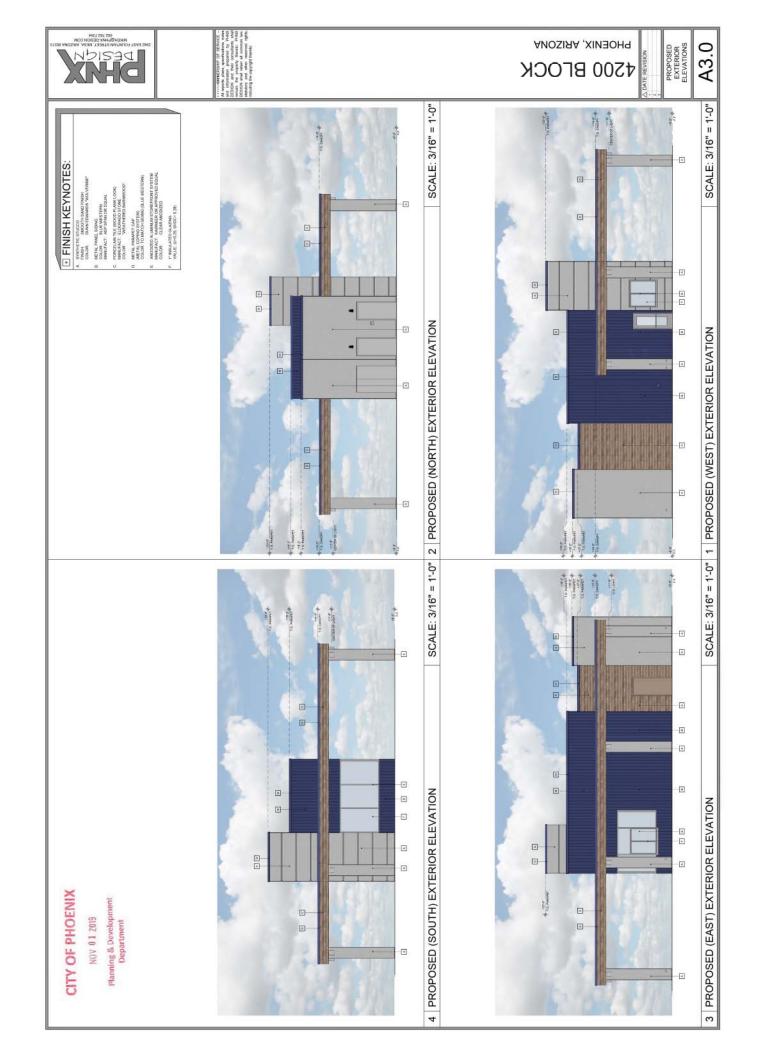




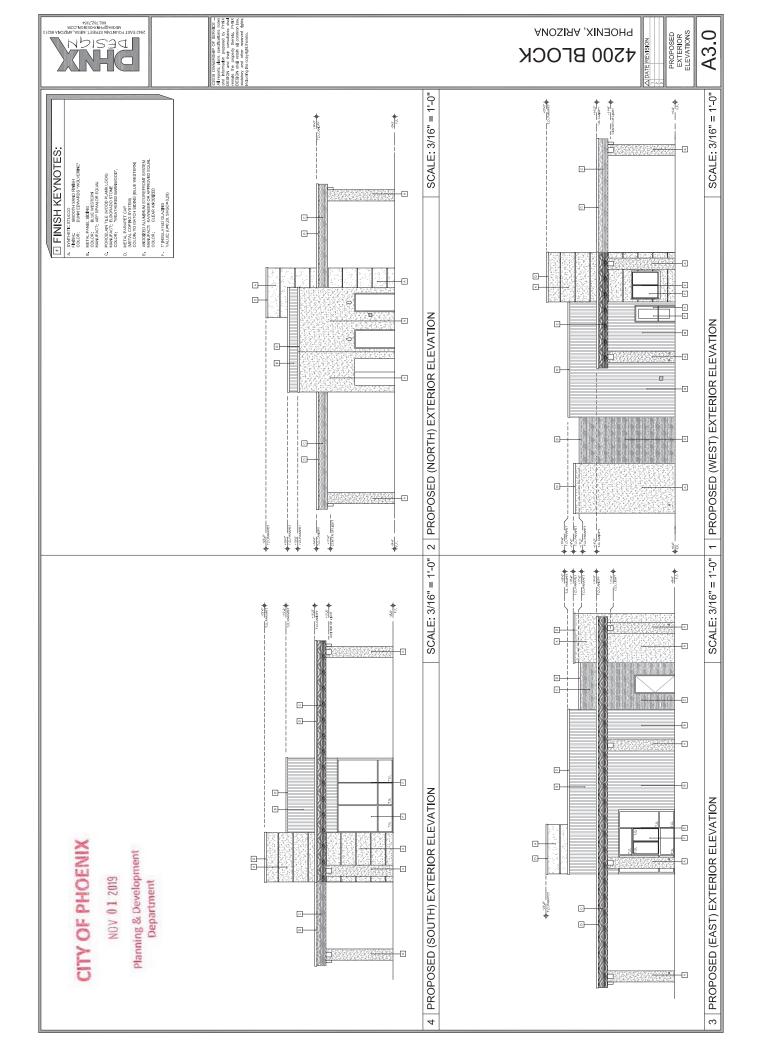


S:\Department Share\IS Share\PL GIS\IS_Team\Core_Functions\Zoning\sketch_maps\2014\Z-SP-5-14.mxd







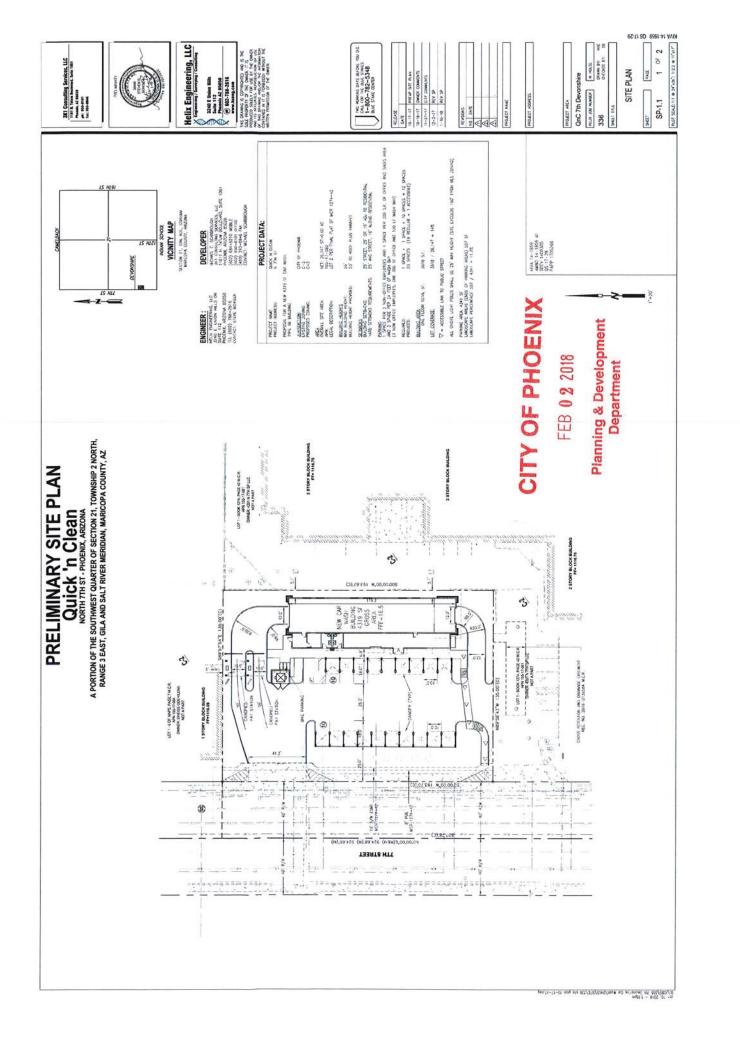


Site Statistics	Net and Gross Lot Area Statistics	OROSS Lot Area Calculations: 0101.871.35 F, 23.3 Area) Total GROSC Seaf Storage Lot Area 33.389.451.072.Acres) Total GROSS Lot Area 33.389.451.072.Acres) Total GROSS Lot Area 133.480.75 F (3.11 Acres) Total GROSS Lot Area 135.480.75 F (3.11 Acres)	NET Lot Area Calculations: 94, 201, 3.5 (2.16 Acres) Total NET Set Stonge Lot Area 94, 201, 3.5 (2.16 Acres) Total NET Lot Area 26, 423, 3.5 (0.060 Acres) Total NET Lot Area 120, 343, 6.5 (2.76 Acres)	Zoning Information	Existing Zone (All Lots) C-2 Requested Zoning (All Lots) C-2 Special Permit M Height Waver, and all underlying C-2 uses	Possible 1. Drive-Thu Facility less than 300 feet from residential zone district <u>Use Permits</u> 2. Outdoor Drinng within 500 feet from a residential zone district	<u>Mavier Requests</u> 1. C-2 height wavier for building height and number of sbries	Variances 1. Self storage attendant provision in the special permit section Building Area Statistics for Self Storage Lot	Borage Lof Area Statistics: Gross Area 1st Flox Storage 39,000 SF 2nd Flox Storage 40,433 SF 3d1 Storage 40,433 SF 3d1 Storage 42,333 SF Mat Remable (Less 25%) 91,218 SF	Lessing Office 1650.SF TOTAL Gross Building Area 123,274.SF	Maximum Allowable Lot Coverage (Section 623, H)	Proposed Lot Coverage 42.388 SF (44,97%) Pronosed Maximum tability 43 fact	Storage Lot	Lemmy organized frequired 1 Space Per 35 Storage Units (Section 702, C)	Proposed Parking Spaces (Meets Requirements with Max 1015 Total Storage Units)	Minimum Parking Landscape Required	Parking Landscape Proposed	⊖ 1. Concept Site Plan ³⁰ ¹⁵ 0 ³⁰ ⁶⁰ ⁵⁰	Sheet Information Sheet Number: 003 Concept Site Plan Site Plan Cotober 15, 2014 Cotober 15, 2014
			Zona G-3					And a state of the		- unit of the second se	RETALINESSING			Rod Overhard (iconi)					Despet 6 Build The prover information Second uses I have self Storage Facility SELF STORAGE OCT 27 2014 Prent, Aucona 66014 Prent, Aucona 66014 Prent

PHO-2-19--Z-118-14-4

Stipulated Site Plan

Hearing Date: December 18, 2019





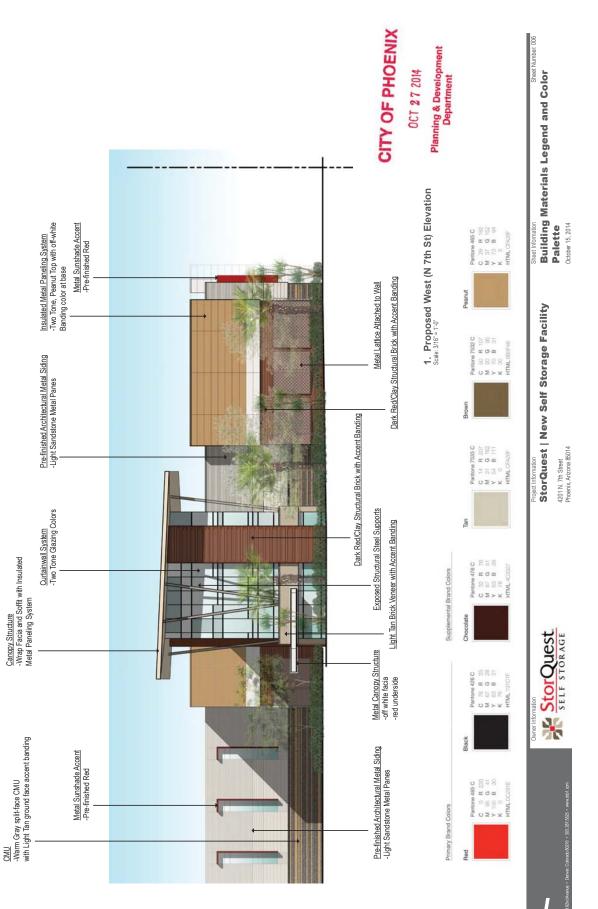
signage

ignage

49 feet

PHO-2-19--Z-118-14-4

Hearing Date: December 18, 2019



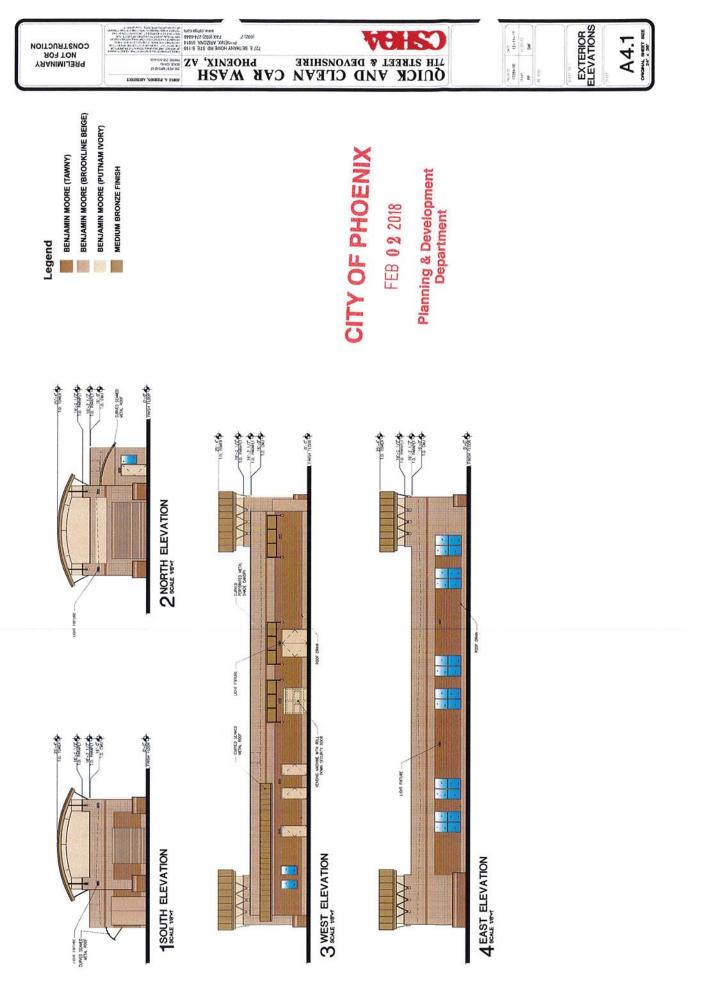
PHO-2-19--Z-118-14-4

signer & Builder

Stipulated Elevations

Hearing Date: Deember 18, 2019





Hearing Date: December 18, 2019

Stipulated Elevations

PHO-2-19--Z-118-14-4

recommended approval with an additional stipulation by a 13-0 vote. Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the case on March 21, 2018 and recommended approval with an additional stipulation.

This item was adopted.

99 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-SP-5-14-4 - Approximately 121 Feet South of the Southeast Corner of 7th Street and Devonshire Avenue (Ordinance G-6450)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, March 21, 2018.

Summary

Current Zoning: C-2 HGT/WVR SP Acreage: 0.60 Applicant: Upper Image Services, LLC Owner: 4201 North 7th SP, LLC Representative: 3K1 Consulting Services, LLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped Oct. 27, 2014.

2. Deletion of Stipulation 1(a) regarding parking/manuvering between the buildings and the 7th Street frontage.

Location

Approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue. Council District: 4 Parcel Addresses: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard the case on March 5, 2018 and recommended approval with a modification by a 11-0 vote. Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the case on March 21, 2018 and recommended approval with additional stipulations.

This item was adopted.

100 Amend City Code - Ordinance Adoption - Rezoning Application PHO-1-18--Z-118-14-4 - Approximately 121 Feet South of the Southeast Corner of 7th Street and Devonshire Avenue (Ordinance G-6449)

Request authorization for the City Manager, or his designee, to approve Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Wednesday, March 21, 2018.

Summary

Current Zoning: C-2 HGT/WVR SP Acreage: 0.60 Applicant: Upper Image Services, LLC Owner: 4201 North 7th SP, LLC Representative: 3K1 Consulting Services, LLC

Proposal:

1. Modification of Stipulation 1 regarding general conformance to site plan and elevations date stamped Oct. 27, 2014.

2. Deletion of Stipulation 1(a) regarding parking/manuvering between the buildings and the 7th Street frontage.

Location

Approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue. Council District: 4 Parcel Addresses: N/A

Concurrence

Village Planning Committee (VPC) Recommendation: The Encanto Village Planning Committee heard the case on March 5, 2018 and recommended approval with a modification by a 11-0 vote. Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the case on March 21, 2018 and recommended approval with additional stipulations.

REPORT OF PLANNING HEARING OFFICER ACTION Teresa Hillner, Planner III, Hearing Officer Jazmine Braswell, Planner I, Assisting

March 21, 2018

ITEM 5

SUBJECT:

DISTRICT 4

Application #: Zoning:	Z-SP-5-14-4 C-2 HGT/WVR SP
Acreage:	.60
Location:	Approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue.
Proposal:	 Modification of Stipulation No. 1 regarding general conformance to site plan and elevations date stamped October 27, 2017. Deletion of Stipulation No. 1. (a) regarding parking/ maneuvering between buildings and the 7th Street frontage.
Applicant:	Upper Image Services, LLC
Owner:	4201 North 7th SP, LLC
Representative:	

ACTIONS:

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

<u>Village Planning Committee (VPC) Recommendation</u>: At their March 5, 2018 meeting, the Encanto Village Planning Committee recommended approval with a modification by an 11-0 vote.

DISCUSSION:

Mr. Michael Scarbrough, representing Quick 'n Clean Carwash, stated they are here to modify 2 of the original stipulations. His client is proposing to develop an express carwash on the subject site. The proposed building will be situated to the far east of the site as possible to allow the full 25-feet of landscaping along 7th Street. They want to make sure the 7th Street corridor is well landscaped to make that area more pedestrian friendly and walkable. He noted no one attended their Village Planning Committee meeting in opposition or support of this case and the case was approved unanimously. In addition, they have already received approval for their use permit to allow for an open carwash.

Ms. Teresa Hillner stated at the Encanto Village Planning Committee meeting there was some concerns about traffic calming along 7th Street.

Mr. Scarbrough stated the drive aisle that is located on the south of the site is not owned or controlled by his client therefore, there is not much they can do in terms of diverting traffic. The main issue was the drive aisle on the north side of the subject property. He stated the concerns were addressed at the Zoning Adjustment hearing. They were stipulated to on-site signage that will redirect traffic to exit out of the southern drive.

Ms. Hillner asked Mr. Scarbrough what color will the shaded structures over the vacuum canopies along 7th Street be.

Mr. Scarbrough stated the corporate colors are a muted tone for the building, and red and yellow for the logo of the company. He stated the shade canopies will be red.

Ms. Hillner stated there was different aspirations for this property when the self-storage facility was developed. She stated the proposed use is a nice utilization of the property. She stated she does have some concerns with the canopy color being red. She is inclined to add a stipulation regarding how much of the color red they can use along 7th Street.

Mr. Scarbrough stated they providing a 25-foot landscape setback and will be providing more trees than required along 7th Street therefore when the trees are fully matured, much of the red shade canopy will not be seen from the street.

Ms. Hillner stated that will address her concerns and will approve the request as submitted.

FINDINGS:

- The original site plan proposed a freestanding building with an unknown use while the self-storage facility was proposed. Since that time, the car wash use has purchased the property. The applicant is moving the building further to the east to accommodate increased landscaping along the 7th Street frontage. The applicant is not modifying the access to the site.
- 2. The proposed elevations are complementary to the self-storage buildings while maintaining the individual identification of the car wash user.
- 3. The property is within the flight path of Phoenix Sky Harbor International Airport. The Aviation Department has requested to add a disclosure to be recorded on the property.

DECISION:

The Planning Hearing Officer recommended approval with additional stipulations.

STIPULATIONS:

1.	The development shall be in general conformance to the site plan date stamped October 27, 2014 AND FEBRUARY 2, 2018 and elevations date stamped October 27, 2014, and January 13, 2015 AND FEBRUARY 2, 2018, with specific regard to:									
	a. Except for ingress/egress points, no parking/maneuvering shall be allowed between the buildings and the 7th Street frontage;									
	b. a.	The sidewalk along 7 th Street shall be detached from the curb;								
	c. b.	Maximum east elevation building height of 39 feet.								
2.	Required trees in the 7th Street and Devonshire Avenue landscape shall be placed adjacent to the sidewalk in order to provide shade pedestrians, as approved by the Planning and Development Depa									
3.		development shall provide bicycle parking with an inverted-U design, as oved by the Planning and Development Department, as follows:								
	a.	a minimum of two spaces to serve the self-storage facility;								
	b.	a minimum of one space per 500 square feet for general retail;								
	C.	a minimum of one space per 300 square feet for a restaurant/bar.								
4.		foot sidewalk easement shall be dedicated on the 7th Street frontage, as oved by the Planning and Development Department.								
5.	That the development shall comply with all ADA accessibility standards, as per plans approved by the Planning and Development Department.									
6.	THE DEVELOPER SHALL RECORD A NOTICE TO PROSPECTIVE PURCHASERS OF PROXIMITY TO AIRPORT IN ORDER TO DISCLOSE THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT (PHX) TO FUTURE OWNERS OR TENANTS OF THE PROPERTY.									
7.	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, audiotape or computer diskette. Please contact the Planning and Development Department, Angie Holdsworth at voice number 602-495-5622 or TTY use 7-1-1.

Encanto Village Planning Committee Meeting Minutes March 5, 2018 Page 5

> <u>PHO-1-18 (Z-106-92)</u>: Presentation, discussion and possible recommendation on a request to delete two stipulations from the approval of C-2 zoning for a site approximately 310 feet north of the centerline of Indian School Road on the east side of 14th Street (approximately 3.06 acres).

Katherine Coles provided some background information regarding the request.

Barry Gardner (CFO of Food for the Hungry) presented to the committee. He informed the committee of the organization's charitable mission and outlined their public outreach efforts in the surrounding neighborhoods. He requested to keep the C-2 zoning; they would like to have the ability to store inventory for charitable purposes. **Brent Kleinman** asked if the building currently has an assembly hall. **Mr. Gardner** responded that no, the building does not have an assembly hall. **George** asked if they had a location on 7th Street. **Mr. Gardner** responded no, they have not ever had a location on 7th Street. **Ann Cothron** asked how many employees they have. **Mr. Gardner** estimated 110 employees, the previous tenant had 150 or more. He also stated they hope to be a good neighbor, and he has spoken with the city's project manager for the Grand Canalscape project and will be responsive to neighborhood needs.

MOTION: Matt Jewett moved, with a second from G.G. George, to recommend approval as requested and with a modified stipulation number 5 to read:

That upon any change of use **from a headquarters office** on the subject property, the Planning Commission will initiate an application to consider reverting the zoning to C-O/G-O.

Celina Brun and Rocio Sumner left the meeting before a motion was made.

VOTE: 12-0

 <u>PHO-1-18 (Z-SP-5-14-4/Z-118-14-4)</u>: Presentation, discussion and possible recommendation on a request to amend a stipulation and to delete a stipulation of approval of C-2 HGT WVR SP zoning for a site approximately 121 feet south of the southeast corner of 7th Street and Devonshire Avenue (3.13 acres).

Ms. Coles presented background regarding the original approval and the request being made now.

Mike Scarborough presented the site plan and architectural elevations for his clients' proposed car wash on 7th Street. The ability to develop the site is limited due to the original stipulations. He highlighted that the 25-foot landscape buffer along 7th Street with shade trees will be maintained, although this depth is unusual for infill sites. The vacuum area located behind the landscape buffer. **Paul Benjamin** asked the presenter

Encanto Village Planning Committee Meeting Minutes March 5, 2018 Page 6

> to describe what kinds of trees would be planted. Mr. Scarborough stated they would plant larger than required trees, 3-inch caliper. Ms. Coles asked about the signage for the site; would they be willing to restrict the height of the sign to protect the shade trees? Mr. Scarborough responded that he will not make commitments without his clients' approval. G.G. George inquired about a bicycle lane on 7th Street and expressed concern about the speed of cars approaching the sidewalk. Ann Cothron asked if the car wash would be open 24 hours and the applicant responded that it would not be. She also mentioned there are many people on bikes in this area, they use the sidewalk. Steve Procaccini was supportive of the shade trees and felt that the noise from the vacuums would be buffered by the surrounding development. He also asked if the water used on the site would be reclaimed. Mr. Scarborough responded that they would only if is required. Chairman Abraham James asked the applicant to consider using solar panels as part of the development. Andrea del Galdo stated she believes the design of the building facing 7th Street is not interesting. Rebecca Wininger stated she does not want to see rows of vacuums along the street. Brent Kleinman wants to build a taller wall. Ms. Wininger asked if they could flip the site plan. Mr. Scarborough responded that car wash customers will not feel safe unless they are visible from the street. Ms. Cothron spoke of her excitement for this project and her sense that this site design is better than having a building on the street. Ms. George wants to include traffic calming near the sidewalk to slow traffic.

Celina Brun, Aaron Searles and Rocio Sumner left the meeting before a motion was made.

MOTION: Matt Jewett moved, with a second from G.G. George, to approve with the addition of traffic calming near the sidewalk.

VOTE: 11-0

6. Presentation and discussion regarding the Boards & Commissions Ethics Handbook. *Presentation by staff.*

Katherine Coles provided information to committee members. The presentation was deferred to the April 5, 2018 meeting.

 Presentation and discussion regarding the formulation of the Encanto Village Character Plan. Presentation by staff.

The item was not presented or discussed.