

**PLEASE RESPOND ELECTRONICALLY TO TERESA GARCIA 2ND FLOOR, 602-262-7399**



**City of Phoenix**  
PLANNING & DEVELOPMENT DEPARTMENT

**To:** Departments Concerned  
**From:** Joshua Bednarek  
Planning & Development Department Director  
**Date:** August 15, 2024

**Subject: P.H.O. APPLICATION NO. PHO-1-24--Z-45-05-7 – Notice of Pending Actions by the Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **September 18, 2024**.
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](mailto: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 **August 22, 2024**.

**DISTRIBUTION**

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City Council (Stephanie Bracken), 11th Floor  
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Street Transportation Department (Maja Brkovic, Josh Rogers, Alan Hilty, Chris Kowalsky), 5th Floor  
Street Transportation - Ped. Safety Coordinator (Kurt Miyamoto), 5th Floor  
Street Transportation - Floodplain Management (Tina Jensen, Priscilla Motola, Rudy Rangel), 5th Floor  
Water Services (Don Reynolds, Victor Romo), 8th Floor  
Planning and Development (Joshua Bednarek, Tricia Gomes), 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 (Byron Easton, Teresa Garcia), 2nd Floor  
Village Planner (Nayeli Sanchez Luna, Estrella Village)  
Village Planning Committee Chair (Lisa Perez, Estrella Village)



# City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

## APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-24--Z-45-05-7

Council District: 7

**Request For:** Stipulation Modification

**Reason for Request:** Request to modify Stipulation 1 regarding general conformance to the site plan date stamped August 5, 2005.;Request to modify Stipulation 1B. regarding the construction of future buildings on the site.;Request to modify Stipulation 1C. regarding dustproofing.

### Contact Information

Name	Relationship Type	Address	Phone	Fax	Email
Marcela Mora-Yatko, Gilbert Blilie PLLC	Applicant	701 North 44th Street, Phoenix AZ 85008	480-429-3044		mmora-yatko@gilbertblilie.com
Mary Grace McNear, Gilbert Blilie PLLC	Representative	701 North 44th Street, Phoenix AZ 85008	480-429-3010		mmcnear@gilbertblilie.com
Cortez Holdings LLC	Owner	5325 West Mohave Street Phoenix, AZ 85043	602-269-8341		mmedina@gmsconcrete.com

**Property Location:** 2350 South 91st Avenue

**Acreage:** 15.38

### Geographic Information

Zoning Map	APN	Quarter Section
E3	101-14-577	Q7-6
Village: Estrella		

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@phoenix.gov or visit our website at <https://www.phoenix.gov/pdd/licensing-time-frames>

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

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature: \_\_\_\_\_ DATE: \_\_\_\_\_

### Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,725.00	\$0.00	08/15/24	PHO (3+ stipulations)

# Planning Hearing Officer Application

## Request for Modification and Deletion of Stipulations: Z-45-05

July 2024

Previous Case No.      Z-45-05  
Kiva Project No.        22-3360  
PAPP No.                2306372

### Project Background and Detailed Description of Proposal

The application seeks to modify two stipulations and remove one stipulation from zoning case Z-45-05, for a property located north of the northwest corner of 91<sup>st</sup> Avenue and Lower Buckeye Road. This PHO application is being filed concurrently with a separate application to modify and delete the same stipulations on Z-SP-11-05.

A site plan application was submitted for the development of an office building, enclosed shop, and parking areas on the site. The uses for the site are allowed on the Property based on its current zoning; however, due to changes in the site plan impacting the stipulations on the zoning case, a PHO application is necessary.

GMS has been planning this development since 2005, and offers the following description of the previous development activities on the project site. In November of 2005, at GMS's request, the project site was rezoned from S-1 (Ranch or Farm Residence) to CP/GCP (Commerce Park/General Commerce Park) for the 15.42-acre site, with an SP designation on 6.94 acres at the north of the property to allow for truck parking and outdoor storage of building materials. At the time of the rezoning, GMS initially sought the City's A-1 Zoning District. Based on Staff input, GMS changed its request to seek the CP/GCP Zoning.

The Phoenix Zoning Ordinance (PZO) allows for the GMS use under Section 626(F)(2)(z). The text of the PZO states that "limited outdoor uses" including building contractors' yards are permitted, "subject to use permit approval pursuant to Section 307," and subject to several additional conditions. So, as part of the rezoning process, and in order to obtain the required special permit, GMS applied for and attended a Zoning Hearing Officer (ZHO) Hearing on September 19, 2005. The ZHO report approves the required permit and comments that the Estrella Village Planning Committee supported GMS's request. The Phoenix Planning Commission recommended approval of the zoning change on October 5, 2005. In response to our request for Council action, the Phoenix City Council approved the rezoning on November 2, 2005 through Z-45-05. On November 2, 2005, the Phoenix City Council also approved a Special Permit on 6.94 acres of the site for truck parking and outdoor storage of building materials through Z-SP-11-05.

On May 7, 2008, GMS submitted a final plat for the site, and made a revised submittal of the final plat on March 18, 2009. On September 16, 2009, the Phoenix City Council approved the GMS final plat. This action vested the CP/GCP Zoning on the Property.

In response to the recession of 2009, GMS halted its plans to build its headquarters on the site. In 2022 GMS revived its plan to develop the Property and locate its corporate headquarters building there. The Property is currently vacant and unimproved; therefore, GMS submitted a revised and updated site plan

for the site. The updated site plan included office and storage buildings, retention areas, and parking spaces.

An application for Site Plan Review (Option 2) was submitted to the City, and a development pre-application meeting was held on December 8, 2022. In response to the City's initial comments, GMS modified its site plan.

A follow up pre-application meeting was held on November 15, 2023. During this meeting, the City noted the plan's noncompliance with two stipulations from Z-45-05 and Z-SP-11-05, which share stipulations. Changing or removing the stipulations requires a Planning Hearing Officer ("PHO") review. Additionally, based on new elevations developed for the site, a third stipulation must be changed in order for the planned development to proceed. We, therefore, respectfully request the review of the site plan and elevations for this site, and the modifications or deletions to the stipulations for Z-45-05 as outlined below.

### **Complete Text of all Stipulations Included in Request for Modification or Deletion for Z-45-05**

Stipulation No. 1. That the site shall be developed in general conformance to the site plan date stamped August 1, 2005, as modified by the following stipulations and as approved or modified by the Development Services Department.

Stipulation No. 1B. That any future buildings constructed in the CP/GCP, shall have similar architecture and features as originally proposed in this request, as may be approved by the Development Services Department.

Stipulation No. 1C. That, if the area shown as a dust-proofed area is developed in the future, the revised site plan shall be subject to a Planning Hearing Officer process for review and approval.

### **Proposed Modifications and Deletions to Stipulations Written in Legislative Edit Format for Z-45-05**

Stipulation No. 1. That the site shall be developed in general conformance to the site plan date stamped ~~August 1, 2005~~ **JULY 3, 2024** as modified by the following stipulations and as approved or modified by the Development Services Department.

Stipulation No. 1B. That any future buildings constructed **ON SITE** ~~in the CP/GCP~~, shall have similar architecture and features as ~~originally~~ proposed in this request, as may be approved by the Development Services Department.

~~Stipulation No. 1C. That, if the area shown as a dust-proofed area is developed in the future, the revised site plan shall be subject to a Planning Hearing Officer process for review and approval.~~

### **Detailed Rationale for Each Individual Request**

#### Stipulation No. 1

Since the 2005 stamped site plan, GMS has updated the site plan to relocate the office building and storage buildings from the CP/GCP area to the CP/GCP -SP area, relocated and added parking spaces, and has reduced the number of driveways into the site from two to one primary driveway and one fire access driveway. Furthermore, GMS plans to develop the southern portion of the project in a future phase which differs from the August 2005 site plan. While these changes differ from the site plan date stamped August 1, 2005, the overall proposed development fulfills a similar intent to what was originally proposed.

### Stipulation No. 1B

Since the approval of the 2005 zoning case, the proposed buildings have been relocated from the CP/GCP area to the CG/GCP-SP area. Therefore, it is requested that any future buildings on the site conform to the same architecture and features regardless of where the building is located on the site.

Additionally, the property owner has since developed an updated design for the office building and storage building on site. The modification of Stipulation 1B requests that any buildings constructed on the site conform with the updated architecture and features proposed with this request.

### Stipulation No. 1C

The site plan date stamped August 2005 identified a dust-proofed area in the southwest area of the site. This area has since been identified as an area appropriate for a retention area, future storage buildings, and asphalt pavement for parking.

Due to the proposed development of the dust-proofed area on the August 2005 site, per Stipulation #1C of Z-45-05, the site plan must be reviewed and approved by the Planning Hearing Officer. Additionally, the proposed site plan included with this application no longer identifies a dust-proofed area, therefore, this stipulation will no longer be applicable if the proposed development on the dust-proofed area is approved through this PHO process.

### **Conclusion**

The Applicant is requesting the deletion of one stipulation and the modification of two stipulations on Z-45-05 to develop the site consistent with the latest site plan and elevations. The Applicant and the developer thank you for your consideration of this request. The proposed zoning stipulation modification is accompanied by the following:

- Application fee
- Ownership authorization
- Application information form
- Proposed site plan
- Proposed elevations and rendering
- Parcel map
- Legal Description
- Property owner notification requirements



# City of Phoenix

PLANNING DEPARTMENT

November 8, 2005

Matt Medina/Hexagon Mgt./GMS  
5325 W. Mohave Ave.  
Phoenix, AZ 85043

Dear Applicant:

RE: Z-45-05-7

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 506.B.4 of the Zoning Ordinance, as amended, has on November 02, 2005, concurred in the recommendation of the Planning Commission and has ratified application Z-45-05-7 for CP/GCP on approximately 15.42 acres located approximately 1,290 feet north of the northwest corner of 91st Avenue and Lower Buckeye Road.

## STIPULATIONS

### SITE PLAN/ELEVATIONS

- Mod** 1. That the site shall be developed in general conformance to the site plan date stamped August 1, 2005, as modified by the following stipulations and as approved or modified by the Development Services Department.
- A. That building heights in the CP/GCP shall not exceed 40 feet.
- Mod** B. That any future buildings constructed in the CP/GCP, shall have similar architecture and features as originally proposed in this request, as may be approved by the Development Services Department.
- Del** C. That, if the area shown as a dust-proofed area is developed in the future, the revised site plan shall be subject to a Planning Hearing Officer process for review and approval.

### LANDSCAPING

2. That the developer shall provide and maintain a minimum 10-foot wide landscape setback with minimum 2-inch caliper shade trees along the inside of the 6-foot block walls where adjacent to the school site and proposed city park, as approved or modified by the Development Services Department.

### PAVING

3. That, excluding the customer parking area, location of administrative offices and both parking stalls for trucks and driveway leading to the truck stalls, all other areas on this site shall be paved with stabilized granite and treated with "Soil-Loc" dust retardant or similar product, rather than asphalt, concrete, or decorative pavers, as approved by the Zoning Administrator, to minimize the "heat island" effect of large paved surfaces.

November 8, 2005  
Ratification Z-45-05-7  
Page 2

RIGHT-OF-WAY

4. That the development along 91st Avenue shall conform to the Estrella Village Arterial Street Landscaping program, that specifically provides landscaping requirements for arterial streets in the Estrella Village.
5. That right-of-way totaling 55 feet and a 10-foot sidewalk easement shall be granted for the west half of 91st Avenue. (Note: 91st Avenue is off-set by 9 feet to the west to miss the 69kv power poles).
6. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the Development Services Department. All improvements shall comply with all ADA accessibility standards.
7. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

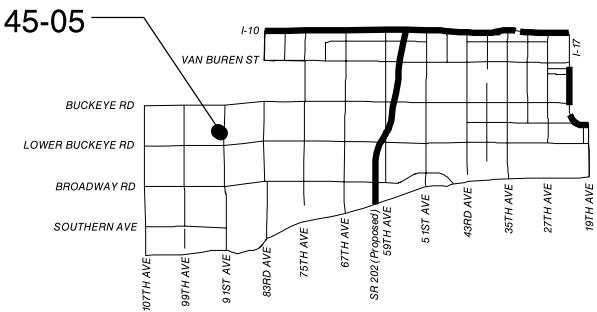
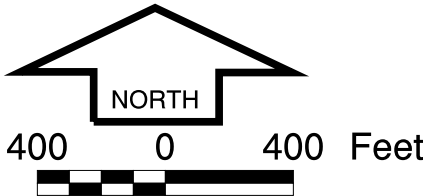
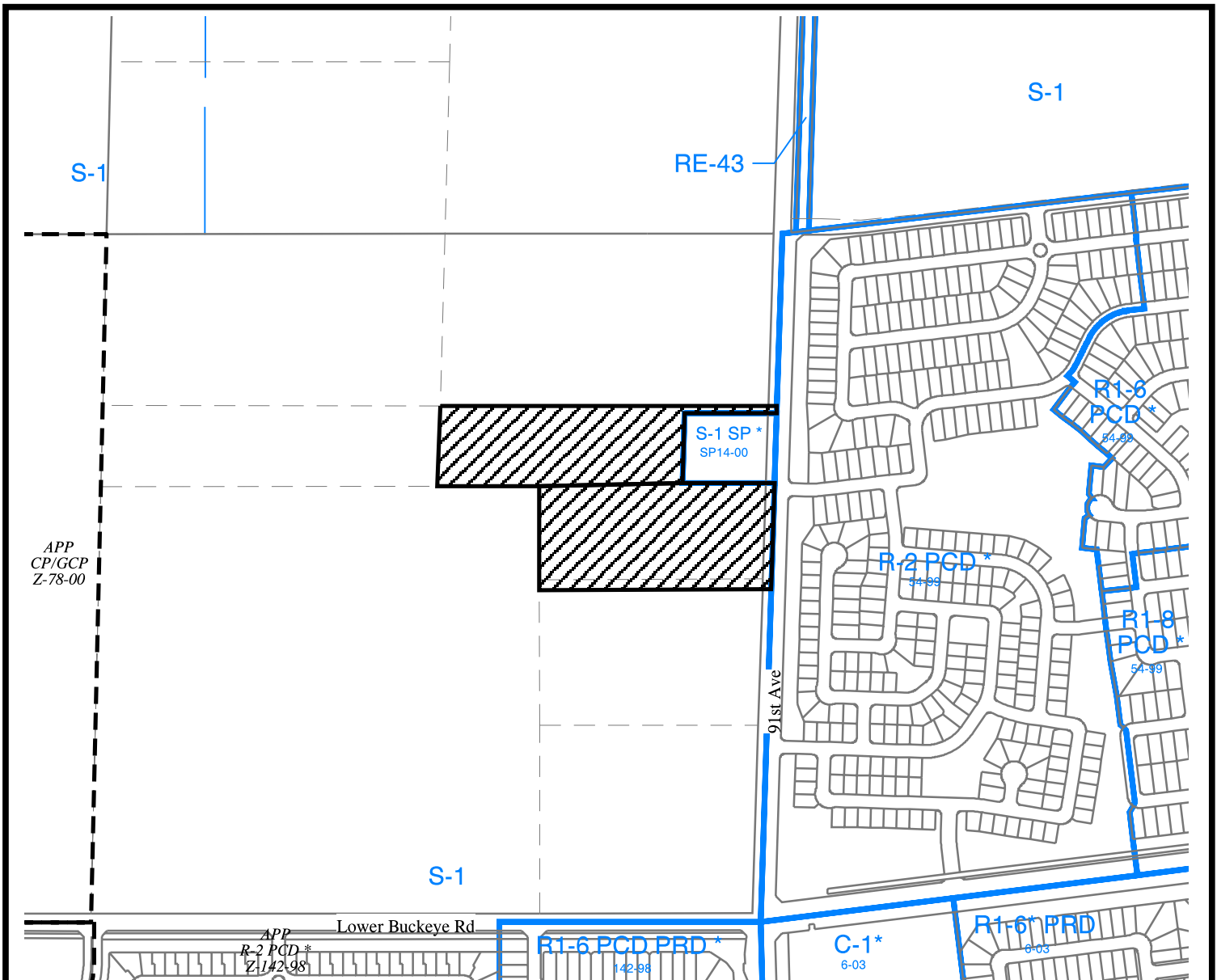
Sincerely,



Rob Lane  
Planner II

CC: Lynn West (e-mail)  
Files  
Sara Uribe (e-mail)  
Jerianne Mackenzie, Public Transit (e-mail)  
Kelly Kvetko, Site Planning (e-mail)  
Kenneth Black (e-mail)  
Loyd Levinski/West Phoenix Venture, 3900 E. Camelback Rd., #355, Phoenix, AZ, 85018  
Rodney Q. Jarvis/Gallagher & Kennedy, PA, 2575 E. Camelback, Phoenix, AZ, 85016

Jay Neville (e-mail)  
Book  
Dave Barrier, DSD (e-mail)  
Annie Alvarado/NSD/PHX (email)  
Kelly P Walker/PLN/PHX (e-mail)  
Shawn Stevens (e-mail)



CITY OF PHOENIX PLANNING DEPARTMENT

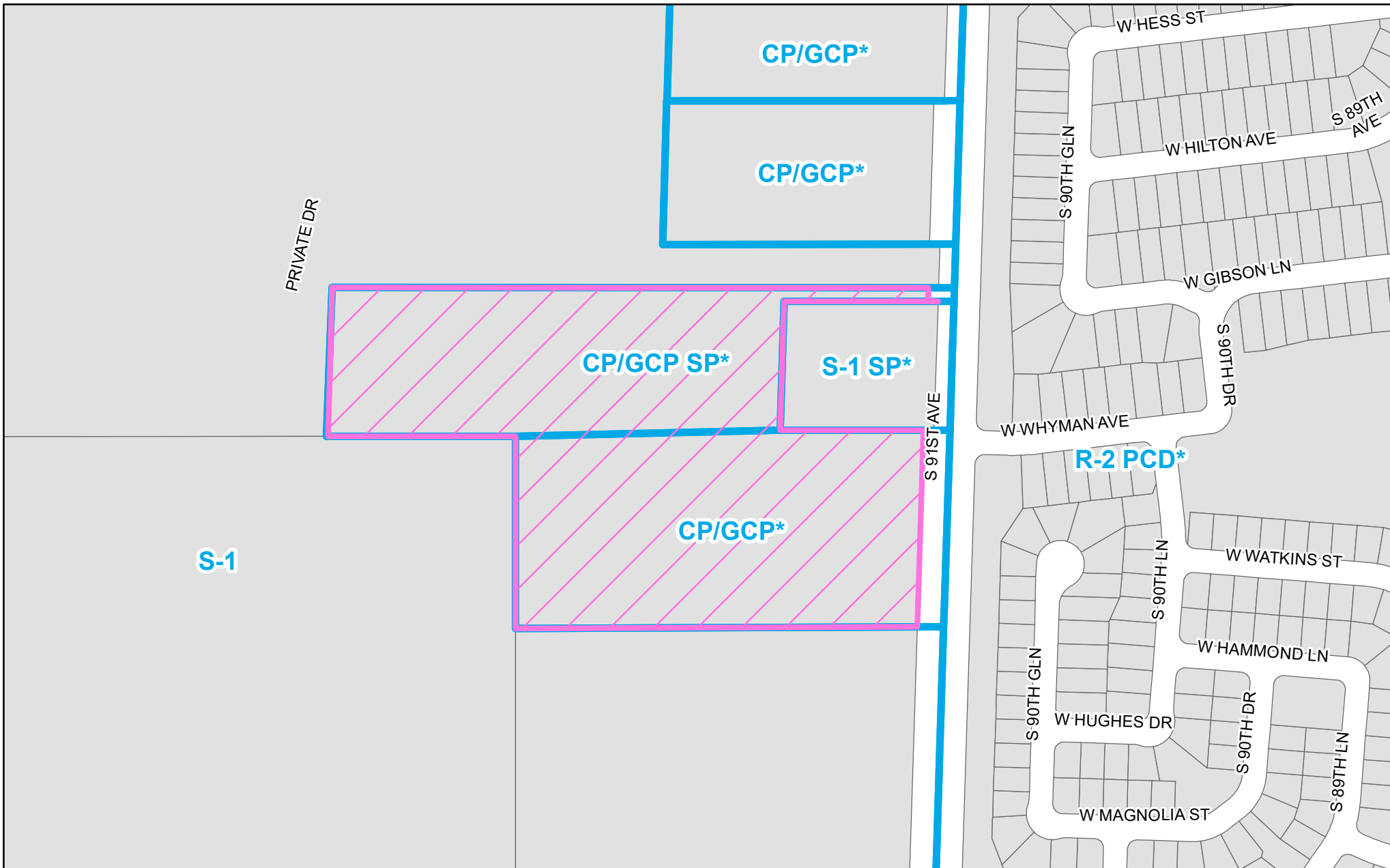
# Estrella Village

CITY COUNCIL DISTRICT: 7

<b>APPLICANT'S NAME:</b> Matt Medina/Hexagon Mgt./GMS		<b>REQUESTED CHANGE:</b>  FROM: S-1  TO: CP/GCP	
<b>APPLICATION NO.</b> 45-05	<b>DATE:</b> 3-10-2005 <b>REVISION DATES:</b> 5-12-2005 8-10-2005		
<b>GROSS AREA INCLUDING 1/2 STREET AND ALLEY DEDICATION IS APPROX.</b>  15.42 Acres	<b>AERIAL PHOTO &amp; QUARTER SEC. NO.</b> Q7-6	<b>ZONING MAP</b> E3	
<b>MULTIPLES PERMITTED</b>	<b>CONVENTIONAL OPTION</b>	<b>* UNITS P.R.D. OPTION</b>	

\* Maximum Units Allowed with P.R.D. Bonus

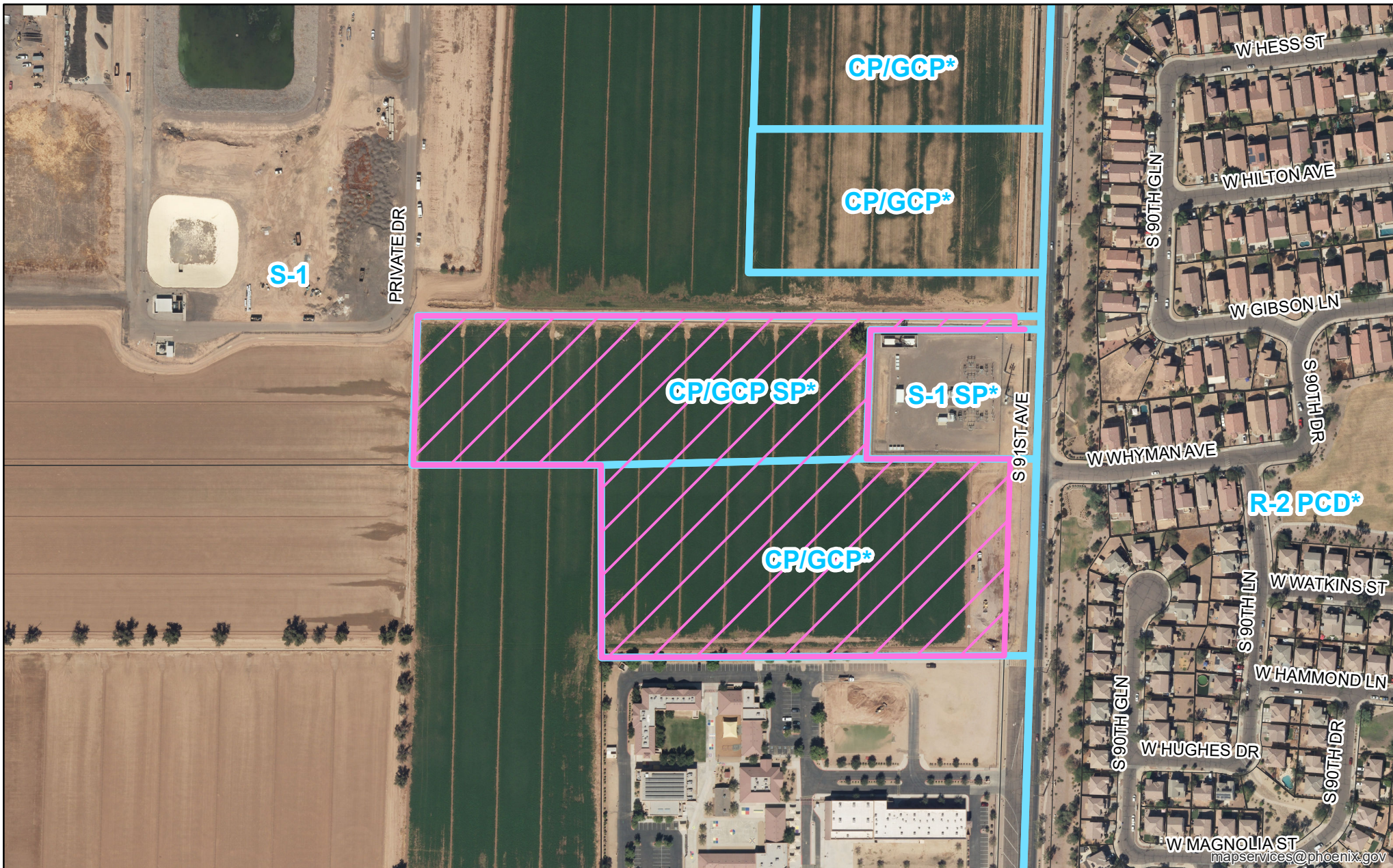




PHO-1-24--Z-45-05-7

Property Location: Approximately 1,290 feet north of the northwest corner of 91st Avenue and Lower Buckeye Road





PHO-1-24--Z-45-05-7

**Property Location: Approximately 1,290 feet north of the northwest corner of 91st Avenue and Lower Buckeye Road**

# PRELIMINARY SITE PLAN FOR GMS CONCRETE SPECIALISTS

**ZONING STIPULATIONS CASE #Z-45-05-7**

**SITE PLAN/ELEVATIONS**

1. THAT THE SITE SHALL BE DEVELOPED IN GENERAL CONFORMANCE TO THE SITE PLAN DATE STAMPED AUGUST 1, 2005, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND AS APPROVED OR MODIFIED BY THE DEVELOPMENT SERVICES DEPARTMENT.
  - A. THAT BUILDING HEIGHTS IN THE CP/GCP SHALL NOT EXCEED 40 FEET.
  - B. THAT ANY FUTURE BUILDINGS CONSTRUCTED IN THE CP/GCP SHALL HAVE SIMILAR ARCHITECTURE AND FEATURES AS ORIGINALLY PROPOSED IN THIS REQUEST, AS MAY BE APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT.
  - C. THAT, IF THE AREA SHOWN AS A DUST PROOFED AREA IS DEVELOPED IN THE FUTURE, THE REVISED SITE PLAN SHALL BE SUBJECT TO A PLANNING HEARING OFFICER PROCESS FOR REVIEW AND APPROVAL.

**LANDSCAPING**

2. THAT THE DEVELOPER SHALL PROVIDE AND MAINTAIN A MINIMUM 10-FOOT WIDE LANDSCAPE SETBACK WITH MINIMUM 2-INCH CALIPER SHADE TREES ALONG THE INSIDE OF THE 6-FOOT BLOCK WALLS WHERE ADJACENT TO THE SCHOOL SITE AND PROPOSED CITY PARK, AS APPROVED OR MODIFIED BY THE DEVELOPMENT SERVICES DEPARTMENT.

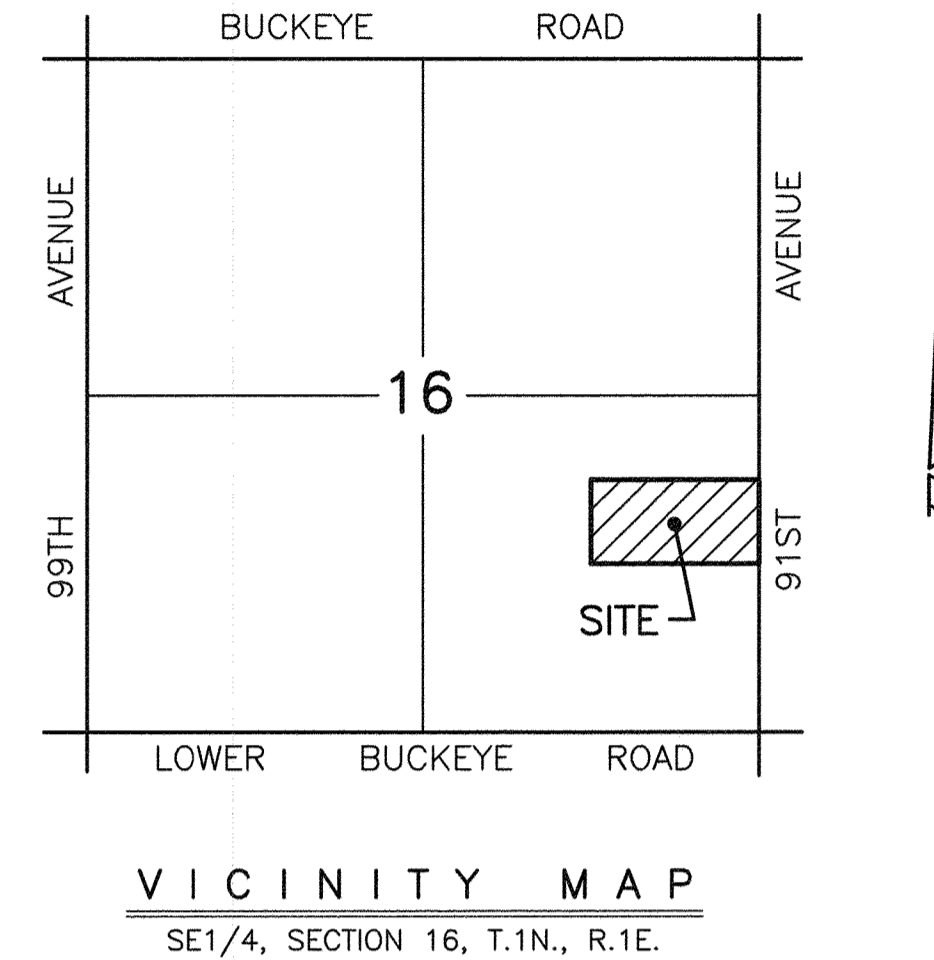
**PAVING**

3. THAT, EXCLUDING THE CUSTOMER PARKING AREA, LOCATION OF ADMINISTRATIVE OFFICES AND BOTH PARKING STALLS FOR TRUCKS AND DRIVEWAY LEADING TO THE TRUCK STALLS, ALL OTHER AREAS ON THIS SITE SHALL BE PAVED WITH STABILIZED GRANITE AND TREATED WITH "SOIL-LOC" DUST RETARDANT OR SIMILAR PRODUCT, RATHER THAN ASPHALT, CONCRETE, OR DECORATIVE PAVERS, AS APPROVED BY THE ZONING ADMINISTRATOR, TO MINIMIZE THE "HEAT ISLAND" EFFECT OF LARGE PAVED SURFACES.

**RIGHT-OF-WAY**

4. THAT THE DEVELOPMENT ALONG 91ST AVENUE SHALL CONFORM TO THE ESTRELLA VILLAGE ARTERIAL STREET LANDSCAPING PROGRAM, THAT SPECIFICALLY PROVIDES LANDSCAPING REQUIREMENTS FOR ARTERIAL STREETS IN THE ESTRELLA VILLAGE.
5. THAT RIGHT-OF-WAY TOTALING 55 FEET AND A 10-FOOT SIDEWALK EASEMENT SHALL BE GRANTED FOR THE WEST HALF OF 91ST AVENUE. (NOTE 91ST AVENUE IS OFF-SET BY 9 FEET TO THE WEST TO MISS THE 69KV POWER POLES.)
6. THAT THE DEVELOPER SHALL CONSTRUCT ALL STREETS WITHIN AND ADJACENT TO THE DEVELOPMENT WITH PAVING, CURB, GUTTER, SIDEWALK, CURB RAMPS, STREETLIGHTS, MEDIAN ISLANDS, LANDSCAPING AND OTHER INCIDENTALS AS PER PLANS APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT. ALL IMPROVEMENTS SHALL COMPLY WITH ALL ADA ACCESSIBILITY STANDARDS.
7. THE APPLICANT SHALL COMPLETE AND SUBMIT THE DEVELOPER PROJECT INFORMATION FORM FOR THE MAG TRANSPORTATION IMPROVEMENT PROGRAM TO MR. ALAN HILTY, (602) 262-6193, WITH THE STREET TRANSPORTATION DEPARTMENT. THIS FORM IS A REQUIREMENT OF THE EPA TO MEET CLEAN AIR QUALITY REQUIREMENTS.

PROJECT DATA FOR GMS CONCRETE SPECIALISTS		
APPROVED ZONING: CP/GCP (Z-45-05 & SP 11-05)		
GENERAL COMMERCE STANDARDS (SECTION 626 PHOENIX ZONING ORDINANCE)		
ACREAGE: GROSS-15.0465 AC. AND NET-14.8235 AC.		
CONCRETE FACILITY WITH OFFICE BUILDING, PARKING, OUTDOOR STORAGE AND SPECIAL USE AREAS		
STANDARDS	REQUIRED	PROVIDED
BLDG. HEIGHT	18' HIGH WITHIN 30' OF PERIMETER LOT LINE: 1' INCREASE PER 3' ADDITIONAL SETBACK. MAXIMUM; 56' STIP. #1-A: MAXIMUM 40' HEIGHT	AS REQUIRED
LOT COVERAGE(%)	50%	CALCULATIONS PROVIDED
SETBACKS	a) 30' FROM PERIMETER LOT LINE ON A STREET 20' NOT ON A STREET b) 20' FROM INTERIOR LOT LINE ON A STREET 0' NOT ON A STREET	AS REQUIRED
LANDSCAPE	30' ADJACENT TO STREET (I.E. IN REQUIRED BUILDING SETBACK ADJACENT TO RESIDENTIAL ZONE-MINIMUM 5' L/S SETBACK	AS REQUIRED
WALLS AND SCREENING (S. 626.H)	(b) 6' MASONRY WALL REQUIRED ON ANY LOT LINE ABUTTING RESIDENTIAL ZONING, UNLESS LOT LINE IS ON ANY STREET (c) ANY OPEN USE OR STORAGE AREA SHALL BE ENCLOSED BY A 6' HIGH SOLID MASONRY WALL	AS REQUIRED
OUTDOOR STORAGE	STORAGE SHALL BE SCREENED WITH SOLID FENCE OR CONTINUOUS EVERGREEN PLANTINGS. STORAGE SHALL BE MAXIMUM 12' HIGH	AS REQUIRED
PARKING AND LOADING:		
a. OFF-STREET PARKING, PAVED AND PROPERLY DRAINED TO BE PROVIDED ON SITE.		
c. ANY LOADING SPACE OR DOCK SHALL BE SCREENED BY A 8' HIGH WALL WHEN LOCATED ADJACENT TO PUBLIC STREET OR RESIDENCE DISTRICT.		
b. PARKING SPACES TO COMPLY WITH s.702.		



**LEGAL DESCRIPTION**

A PORTION OF THE EAST HALF OF THE SE1/4 OF SECTION 16, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

**PROJECT DESCRIPTION**

A CONCRETE FACILITY WITH AN OFFICE BUILDING, PARKING AND OUTDOOR STORAGE AND SPECIAL USE AREAS. (NO OUTDOOR CONCRETE MANUFACTURING/EQUIPMENT PROPOSED)

**SITE SUMMARY TABLE**

EXISTING ZONING: CP/GCP  
 GROSS ACRES: 646,428 S.F. OR 14.8399 AC.  
 NET ACRES: 622,692 S.F. OR 14.2950 AC.  
 TOTAL NUMBER OF LOTS: 1  
 WATER, SEWER, AND SANITATION SERVICES BY THE CITY OF PHOENIX.  
 ELECTRIC SERVICE BY SALT RIVER PROJECT.  
 GAS SERVICE BY SOUTHWEST GAS CORPORATION.  
 TELEPHONE SERVICE BY CENTURY LINK.  
 CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENT SHALL BE LIMITED TO UTILITIES, AND WOOD, WIRE OR REMOVABLE SECTION TYPE FENCING.  
 ALL UTILITIES AND SINGLE PHASE ELECTRIC LINES ARE TO BE INSTALLED UNDERGROUND.

**PARKING CALCULATIONS**

OFFICE 8224+3200=11424 X 0.80=9139+300=30

**PARKING SPACES REQUIRED**

30 SPACES/ 6 ACCESSIBLE / 1 COVERED ACCESSIBLE

**PARKING SPACES PROVIDED**

OFFICE AREA 115 SPACES (9' WIDE X 18' DEEP)  
 102 REGULAR-4 ACCESSIBLE  
 13 COVERED-1 ACCESSIBLE  
 YARD AREA 162 SPACES (12' WIDE X 25' DEEP)  
 (LOADING/FLEET VEHICLES)  
 TOTAL AREA 277 SPACES

**ENGINEER**

CLOUSE ENGINEERING INC.  
 5010 E. SHEA BLVD, SUITE 110  
 SCOTTSDALE, ARIZONA, 85254  
 PHONE: (602) 395-9300  
 FAX: (602) 395-9310

**DEVELOPER**

GMS CONCRETE SPECIALISTS  
 5325 WEST MOHAVE STREET  
 PHOENIX, ARIZONA, 85043  
 PHONE: (602) 269-8341  
 FAX: (602) 269-9221

**NOTES**

DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE CODES AND ORDINANCES. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.

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.

AFTER FINAL APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY DSD PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 262-6981 AND REQUEST A DESIGN REVIEW INSPECTION.

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 WHERE VISIBLE FROM PUBLIC STREETS OR ADJACENT RESIDENTIAL AREAS. TO ALL PUBLIC STREETS.

SMOKE, GAS AND ODOR EMISSIONS SHALL COMPLY WITH REGULATION III OF THE MARICOPA COUNTY AIR POLLUTION CONTROL RULES AND REGULATIONS.

DISPOSAL OF ALL WASTE MATERIALS SHALL COMPLY WITH TITLE 9, CHAPTER 9, ARTICLES 18 AND 4 OF THE HAZARDOUS WASTER REGULATIONS AS ADOPTED BY THE ARIZONA HEALTH DEPARTMENT.

THE AVERAGE NOISE LEVEL, MEASURED AT THE PROPERTY LINE, SHALL NOT EXCEED 55 dB (1 dn) WHEN MEASURED ON AN "A WEIGHTED" SOUND LEVEL METER ACCORDING TO THE PROCEDURES OF THE ENVIRONMENTAL PROTECTION AGENCY.

EXPLOSIVE OR HAZARDOUS PROCESSES (IF APPLICABLE): CERTIFICATION SHALL BE PROVIDED BY THE CITY OF PHOENIX FIRE DEPARTMENT PREVENTION BUREAU THAT ALL MANUFACTURING, STORAGE AND WASTE PROCESSES ON THE SIRE SHALL MEET SAFETY AND ENVIRONMENTAL STANDARDS AS ADMINISTERED BY THE BUREAU.

OPEN STORAGE SHALL BE NO HIGHER THAN SIX (6) FEET, PLUS ONE (1) FOOT IN HEIGHT FOR EVERY ADDITIONAL THREE (3) FEET OF SETBACK FROM A PROPERTY, UP TO TWELVE (12) FEET MAXIMUM.

I CONSENT TO THE REPRODUCTION OF THIS SITE PLAN FOR THE PURPOSE OF FUTURE AMENDMENTS PROVIDED THAT IF MODIFICATIONS ARE MADE, THE ARCHITECTS WHO MAKE SUCH CHANGES ASSUME FULL RESPONSIBILITY AND LIABILITY FOR THE PLAN.

PRINT NAME OF COPYRIGHT OWNER

SIGNATURE OF COPYRIGHT OWNER

**LOT COVERAGE CALCULATIONS**

CALCULATION:

MAX COVERAGE (%) X (NET AREA) X (43560) = MAX ALLOWABLE AREA UNDER ROOF

(0.5) X (14.8235 AC.) X (43560) = 322,855 S.F. MAXIMUM ALLOWABLE AREA

15,000 S.F. SHOP AND STORAGE  
 12,750 S.F. OFFICE  
 2,376 S.F. PARKING  
 30,126 S.F. TOTAL PROVIDED

(30,126 S.F.) / (14.8235 AC.) X (43560) = 4.67% PROVIDED

**LEGEND**

- └──┘ INDICATES A CORNER OF THIS SUBDIVISION.
- ┆──┆ INDICATES PUBLIC UTILITY EASEMENT, AT ALL LOT FRONTAGE UNLESS NOTED OTHERWISE.
- ┆──┆ 10' P.U.E.
- 1' V.N.A.E. INDICATES VEHICULAR NON-ACCESS EASEMENT.
- B.S.L INDICATES MINIMUM BUILDING SETBACK LINES.
- P.U.E. INDICATES PUBLIC UTILITY EASEMENT
- S.W.E. INDICATES SIDEWALK EASEMENT

**CITY OF PHOENIX**

JUL 03 2024

Planning & Development  
Department

Q.S.# 7-6  
 KIVA# 22-3360  
 SDEV# 2200479  
 PAPP# 2208012  
 MEETING DATE: 12/8/2022  
 ZONING CASE: Z-45-05-7 & SP 11-05

Revised  
10-13-23  
06-10-24

Date  
07-24-23

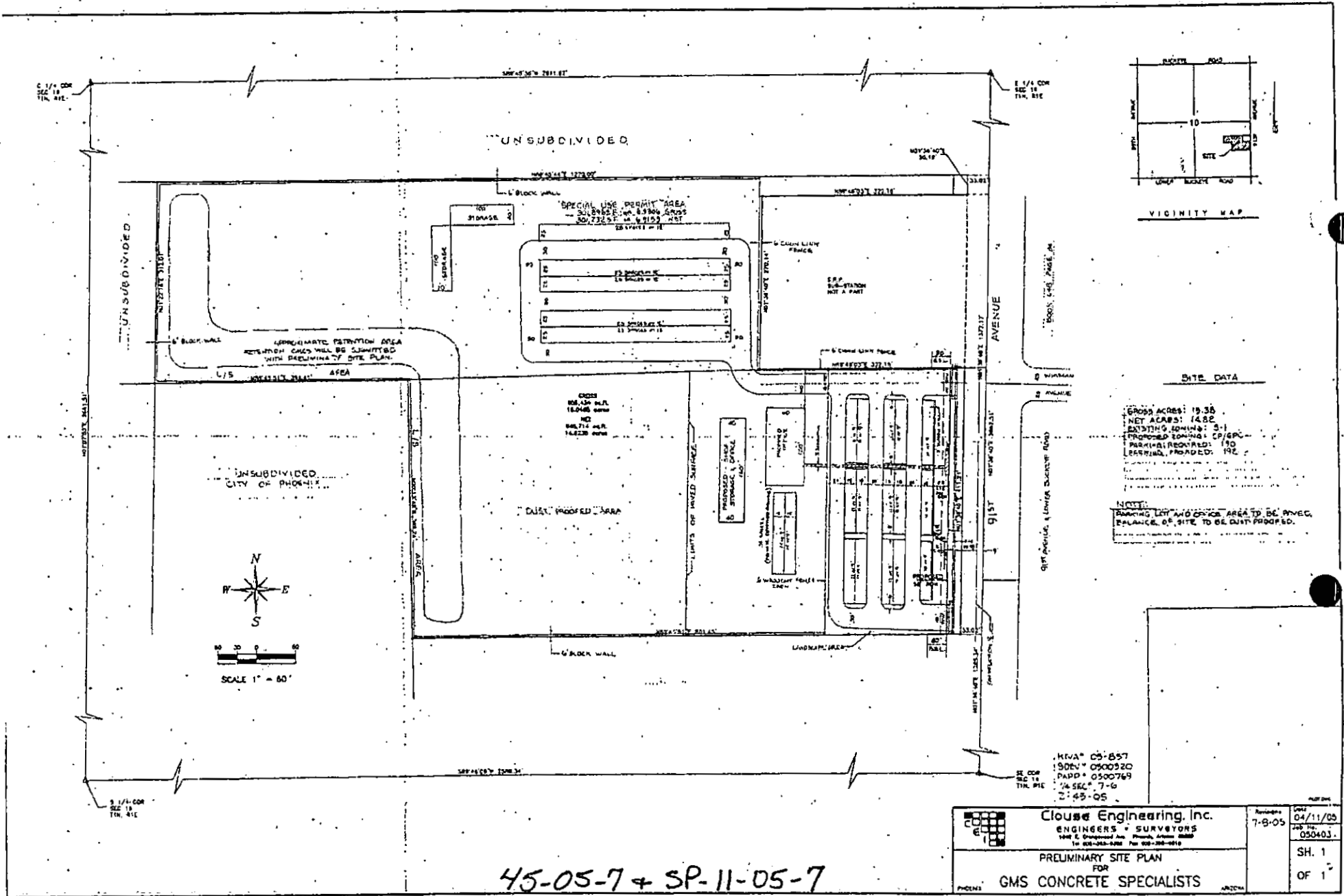
As-Built

Job No.  
230101



AUG 01 2005

PLANNING DEPT.  
RECEPTION



PHO-1-24--Z-45-05-7

Stipulated Site Plan

Hearing Date: September 18, 2024



November 2, 2005

DISTRICT 4  
12TH STREET AND  
CAMELBACK ROAD  
OWNER: FITZGERALD &  
GRUWELL - F&G  
INVESTMENTS  
APPLICANT: COURTESY  
CHEVROLET  
REPRESENTATIVE: ANDREW  
MOORE - EARL, CURLEY &  
LAGARDE, PC

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- C. Application: Z-SP-9-05-4  
Request: Rezone from C-2 to C-2 SP; Acreage: 0.98  
Location: Southeast corner of 12th Street and Camelback Road  
Proposal: Auto Dealership Inventory Display

On September 13, 2005, the Camelback East Village Planning Committee reviewed this request and recommended approval, subject to staff stipulations (vote 15-0).

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

DISTRICT 7  
91ST AVENUE AND LOWER  
BUCKEYE ROAD  
OWNER: LOYD LEVINSKI -  
WEST PHOENIX VENTURE  
APPLICANT: MATT MEDINA -  
HEXAGON MGT./GMS  
REPRESENTATIVE:  
RODNEY Q. JARVIS -  
GALLAGHER & KENNEDY, PA

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- D. Application: Z-45-05-7  
Request: Rezone from S-1 to CP/GCP; Acreage: 15.42  
Location: Approximately 1,290 feet north of the northwest corner of  
91st Avenue and Lower Buckeye Road  
Proposal: Office/Maintenance for Home Foundations Subcontractor

November 2, 2005

On September 6, 2005, the Estrella Village Planning Committee reviewed this request and recommended approval, subject to staff stipulations (vote 5-0).

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

DISTRICT 7  
91ST AVENUE AND LOWER  
BUCKEYE ROAD  
OWNER: LOYD LEVINSKI -  
WEST PHOENIX VENTURE  
APPLICANT: HEXAGON  
MANAGEMENT/GMS  
REPRESENTATIVE:  
GALLAGHER & KENNEDY

- E. Application: **Z-SP-11-05-7**  
Request: Rezone from S-1 (pending CP/GCP) to CP/GCP SP;  
Acreage: 6.94  
Location: Approximately 1,680 feet north of the northwest corner of  
91st Avenue and Lower Buckeye Road  
Proposal: Outdoor Storage

On September 6, 2005, the Estrella Village Planning Committee reviewed this request and recommended approval, subject to staff stipulations (vote 5-0).

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



**SEPTEMBER 19, 2005**

Mr. Keuth made a MOTION to ratify applications: **Z-45-05-7**, with clarifications as below, **Z-SP-11-05-7**, with clarifications as below, SP 9-05-4, Z-107-05-1, Z-80-05-7, Z-102-05-8, Z-103-05-2 with clarifications,

Z-45-05-7 stipulation clarifications:

6. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City DEVELOPMENT SERVICES DEPARTMENT. All improvements shall comply with all ADA accessibility standards.

Z-SP-11-05-7 stipulation clarifications:

6. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City DEVELOPMENT SERVICES DEPARTMENT. All improvements shall comply with all ADA accessibility standards.

Z-103-05-2 stipulation clarifications:

5. That the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals as per plans approved by the City DEVELOPMENT SERVICES DEPARTMENT. All improvements shall comply with all ADA accessibility standards.

**II. DISCUSSION AND POSSIBLE ACTION**

**A. Initiations & Scheduling:**

1. **Discussion and possible initiation of the Arts, Culture and Small Business Overlay. (Phil Jones, Phoenix Office of Arts and Culture)**

Dr. Kelchner made a MOTION to initiate the Arts, Culture and Small Business Overlay.

Mr. Keuth SECONDED.

MOTION PASSED by a vote of 8-0.

152619

2

Estrella Village Planning Committee  
Minutes  
Tuesday, June 7, 2005  
Fowler School District Board Room  
1617 S. 67<sup>th</sup> Avenue  
Phoenix, Arizona

CITY CLERK DEPT  
2005 JUL 25 PM 4:06

MEMBERS PRESENT

Jonathan Andersen  
Dr. Randall Blecha  
Candy Carson, Vice Chair  
Lucille DeSomma  
Peggy Eastburn, Chair

MEMBERS ABSENT

Dewey Leitch

STAFF PRESENT

Karen Craver, Village Planner  
Shannon Adams, Secretary

1. Call to Order and Roll Call.

Called to order at 6:00 p.m. A quorum of five members was present.

2. Review and approval of the May 3, 2005 meeting minutes.

Chair Eastburn motioned to approve the minutes, Dr. Blecha seconded. Approved 5-0.

3. Announcements and public comments not for Committee action.

Chair Eastburn brought updated Loop 202 information, and made it available to the public and committee members.

Ms. Craver distributed copies of Greg Newton's letter of resignation from the committee.

4. Presentation, discussion, and possible recommendation on Z-45-05-7, a request to change the zoning from S-1 to A-1 and CP/GCP on 15.42 acres 1290 feet north of the NWC of 91<sup>st</sup> Avenue and Lower Buckeye Road. The Zoning Hearing Officer (ZHO) will hear the case on June 20, 2005.

Ms. Craver informed the committee that staff recommends several stipulations, including landscaping, perimeter walls, increase of tree size, 150 ft. setback for storage, dust retardant to be used on site, right-of-way stipulations from the Streets Department, and a stipulation to come back to committee for future development.

Attorney Rod Jarvis, representing the applicant presented. Matthew and Johnathan Medina, owners of GMS Concrete were also present. The applicant is a concrete foundation sub-contractor. No concrete trucks will be on site, only company trucks that will be used to visit the construction site. The applicant is requesting modification to stipulation #4, and requests to put wall at property line with the required landscaping on the neighboring property through a variance. The applicant does not want the liability of school children in the landscaped areas. Applicant agrees with remaining stipulations.

Vice-Chair Carson feels this is a wrong use in the area of parks, a charter school, and residential. Mr. Jarvis responded that a mini-storage and water treatment facility are also in the area. This will be a quiet use, and there will be no activity other than office work on site.

Chair Eastburn noted that this is the center of the growth area. She is completely against the underlying zoning of A-1 in this location, and suggested that the applicant go back and look for

another area. Chair Eastburn explained that she has no problem with the business, but there is a concern that when demand for the business is gone, the business would move, leaving the area zoned A-1. Vice Chair Carson and Dr. Blecha also spoke in opposition to the A-1 zoning.

Mr. Jarvis suggested CP/GCP on entire site, and obtaining an interpretation from the ZA on truck parking. Chair Eastburn explained that this designation would cover future uses.

Dr. Blecha motioned to deny as filed. Committee recommends approval of CP/GCP on entire parcel. Committee supports placement of landscape buffer. Mr. Anderson seconded. Motion approved 5-0.

5. Presentation, discussion, and possible recommendation on GPA-SA-EST-2-05-7, a request to change the General Plan Map designation from Mixed-Use (Commercial/Commerce Park/Residential) and Mixed-Use (Parks/Open Space-Publicly Owned and Commercial) to Industrial on 56.24 acres 775 feet north of the NEC of 59<sup>th</sup> Avenue and Lower Buckeye Road. The Planning Commission will hear the case on June 8, 2005.

Items #5 and 6 were heard concurrently.

Ms. Craver informed members that this request came before the committee last year to request a GPA from industrial to mixed use. The applicant is now requesting a GPA back to industrial. Staff feels that this is an appropriate land use for this location.

Ms. Craver distributed copies of the revisions to stipulations #2. Because staff is concerned about the appearance from 59<sup>th</sup> Avenue, General Commerce Park standards will be stipulated for landscaping on 59<sup>th</sup> Avenue, as well as providing enhanced landscape triangles at entrances and incorporation of the Estrella Arterial Street Landscape Plan. Attorney Mike Withy, representing the applicant, informed the committee that the site was designated as industrial on the General Plan. The initial request to amend to General Plan to residential was met with opposition. The first use will be an auto re-marketing center/auto dealer clearinghouse; conceptual drawings and elevations were provided.

Vice-Chair Carson motioned to approve, Dr. Blecha seconded. Approved 5-0.

6. Presentation, discussion, and possible recommendation on Z-62-05-7, a request to change the zoning from RE-35 to A-1 on 39.84 acres 1,320 feet north of the NEC of 59<sup>th</sup> Avenue and Lower Buckeye Road. The Planning Commission will hear the case on June 8, 2005.

Vice-Chair Carson motioned to approve #6 with stipulations, Dr. Blecha seconded. Approved 5-0

7. Discussion on GPA-CTYW-01-05, the addition and deletion of streets to the Streets Classification Map, tabled at the May 3, 2005 meeting.

Ms. Craver explained that this request was tabled from the May 5, 2005 meeting, and committee members were provided with clarification of the request.

8. Update by Chair Eastburn regarding the South Mountain Loop 202 Citizens Advisory Team (CAT).

Chair Eastburn provided an update on the South Mountain Freeway, and informed members that the original alignment would result in 33 acres being lost from South Mountain. The goal is to save South Mountain. Eliminating the 51<sup>st</sup> Avenue ramp would reduce this loss to three