

Date: January 15, 2025

To: Departments Concerned

From: Joshua Bednarek

Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. PHO-2-25--Z-174-87-2(1) — 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 a public hearing on <u>February 19</u>, 2025.
- 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.
- Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by <u>January 22, 2025</u>.

DISTRIBUTION

Mayor's Office (Tony Motola), 11th Floor City Council (Stephanie Bracken), 11th Floor

Aviation (Jordan D. Feld)

CED (Michelle Pierson), 20th Floor

Fire Prevention (Joel Asirsan), 2nd Floor

Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor

Parks & Recreation (Todd Shackelford), 16th Floor

Public Transit (Michael Pierce)

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 (Robert Kuhfuss, Deer Valley Village)

Village Planning Committee Chair (Gregory Freeman, Deer Valley Village)



APPLICATION FOR PLANNING HEARING OFFICER ACTION APPLICATION NO: PHO-2-25--Z-174-87-2(1)

Council District: 1

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 1 regarding general conformance to the site plan presented; Request to

delete Stipulation 9 regarding design standards of the C-1 parcel

Contact Information

Contact informa	111011				
Name	Relationship Type	Address	Phone	Fax	Email
QuikTrip Corporation	Owner	1116 E. Broadway Road	480-446-6300		jnaut@quiktrip.com
Lauren Proper Potter, Huellmantel & Affiliates	Representative	P.O. Box 1833, Tempe, AZ 85280	480-921-2800		lauren.proper@huellmantel.com
Lauren Proper Potter, Huellmantel & Affiliates	Applicant	P.O. Box 1833, Tempe, AZ 85280	480-921-2800		lauren.proper@huellmantel.com

Property Location: Southwest corner of 27th Avenue and Deer Valley Road

\$0.00

Acreage: 9.98

Geographic Information

Zoning Map APN Quarter Section

N7 206-06-696 Q42-22

Village: Deer Valley

\$1,080.00

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	Purnose	

12/13/24

PHO (1-2 stipulations)

PHOENIX HEARING OFFICER NARRATIVE

QUIKTRIP #1445

SWC 27TH AVENUE & DEER VALLEY ROAD

H REPRESENTATIVE: UELLMANTEL A FFILIATES

Lauren Proper Potter
Huellmantel & Affiliates
P.O. Box 1833
Tempe, Arizona 85280-1833
(480) 921-2800
Lauren.proper@huellmantel.com

APPLICANT:



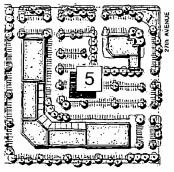
Jonathan Naut QuikTrip Corporation 1116 E. Broadway Road Tempe, Arizona 85282 (480) 446-6318 jnaut@quiktrip.com This proposed QuikTrip site is located at the southwest corner of 27th Avenue and Deer Valley Road as shown below. The site is subject to stipulations from a 1987 rezoning case (Z-174-87) that rezoned approximately 127.2 acres from R1-8 to C-1, R-3, R1-6, R-3A, and R-2.



In order for QuikTrip to begin construction on its proposed new service station and store, we are requesting to modify the 1987 stipulations. Our requested changes are shown below with our explanation beneath the stipulation:

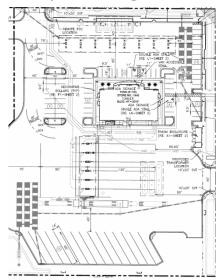
1. That development be in general conformance to the site plan for the development of Parcel 5 presented dated November 15, 2024. with appropriate modifications as may be necessary due to drainage and circulation needs.

We are requesting to modify this stipulation from the 1987 rezoning case. The original stipulation requires conformance to the site plan for Parcel 5 shown below:



This site plan shows the plans for a strip mall with a long L-shaped building on the southwest corner of the site and a single building at the northeast corner of the site.

QuikTrip is proposing a single convenience store located on the upper half of the site with fueling canopies north and south of the building as shown below:



Because the proposed site plan does not have the same building layout as the one proposed in 1987, we are requesting to modify this stipulation.

- 2. That residential densities not exceed the following limits:
 - a. R1-6 maximum 4.0 dwelling units per acre.
 - b. R-2 maximum 8.0 dwelling units per acre.
 - c. R-3 maximum 12.0 dwelling units per acre.
 - d. R-3A maximum 22.0 dwelling units per acre.

We are not proposing a modification to this stipulation because it does not apply to our site.

3. That each development be subject to Development Coordination office review and approval in accord with Section 511 of the Zoning Ordinance.

We are not proposing a modification to this stipulation.

4. That a master grading and drainage plan for Parcels 1, 2, and 3 be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development. A master grading and drainage plan for Parcels 4 and 5 shall be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase II development. Each phase shall be in accord with the approved plan.

We are not proposing a modification to this stipulation. We will submit a Grading and Drainage plan with our submittal.

5. That the Scatter Wash Floodway be preserved and enhanced in a natural desert state concurrent with Phase I development.

We are not proposing a modification to this stipulation because Phase I development has already been completed and it does not apply to our site.

6. That the rechannelization of the East Scatter Wash reflect a natural desert design.

We are not proposing a modification to this stipulation because it does not apply to our site.

7. That hiking and riding trails be dedicated within the Scatter Wash and be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development. Additional trails shall be provided throughout the site for the use of the residents and shall tie residential open space areas to the wash, apartments, and commercial areas.

We are not proposing a modification to this stipulation because Phase I development has already been completed and it does not apply to our site.

8. That the residential development adjacent to the Scatter Wash be designed with front or side on treatment.

We are not proposing a modification to this stipulation because it does not apply to our site.

- 9. That the C-1 parcel be subject to the following design standards:
 - a. Maximum of one detached pad architecturally integrated with the entire center design.
 - b. Maximum Floor Area Ratio not to exceed .2.
 - c. Maximum one-story, 25 feet building height.
 - d. Minimum 20-foot landscape setbacks together with screening walls/berms or a combination thereof be provided adjacent to perimeter streets.
 - e. Minimum 24 inch box size shade trees be provided a maximum of 20 feet on center or placed in equivalent groupings adjacent to perimeter streets with minimum 15 gallon size shade trees spaced a maximum of 20 feet on center around the remainder of the site.

We are proposing to remove this stipulation. QuikTrip owns the approximately 10-acre site and will be utilizing 4.7 acres. While QuikTrip is currently proposing one PAD on the site, they would like the option to be able to add future commercial uses on their property. QuikTrip will comply with all C-1 standards. However, we would like to remove this stipulation altogether so that QuikTrip can maintain the ability to develop the remainder of this site in the future.

109. That 31st Avenue be fully improved between Rose Garden Lane and the northern boundary of Parcels 1 and 2 as to the 60-foot full street and between the northern boundary of Parcels 1 and 2 and Deer Valley Drive as to the 30-foot half street on the east side concurrent with or prior to Phase II development.

We are not proposing a modification to this stipulation because it does not apply to our site.

140. That the following rights-of-way be dedicated within one year of auction of the adjoining parcel(s) by the State:

- a. 40-foot half street right-of-way for the west side of 27th Avenue.
- b. 55-foot half street right-of-way for the south side of Deer Valley Drive.
- c. 30-foot half street right-of-way for the north side of Rose Garden Lane.
- d. 25-foot half street right-of-way for the east side of 33rd Avenue.
- e. 60-foot full street right-of-way for 31st Avenue with a 30-foot half street right-of-way on the north half of the site.
- f. 14'x14' triangle at the intersection of 31st Avenue and Rose Garden Lane.
- g. 18'x18' triangle at the intersection of 31st Avenue and Deer Valley Drive.
- h. 21'x21' triangle at the intersection of Deer Valley Drive and 27th Avenue.
- i. Additional right-of-way including bus bays and right turn lanes as determined at the time of Development Coordination Office review.

We are not proposing a modification to this stipulation because the appropriate dedications already been dedicated.





October 29, 1987

Mr. Greg Novak STATE LAND DEPARTMENT 1624 West Adams Street Phoenix, Arizona 85007

Re: Application No. 174-87-2, bounded by 33rd Avenue on the west, 27th Avenue on the east, Rose Garden Lane on the south, and Deer Valley Drive on the north (approximately 127.2 acres). Ratified with 4-0 vote by the Planning Commission October 14, 1987. Heard by City Council October 28, 1987.

Dear Mr. Novak:

Please be advised that the Phoenix City Council in accordance with Section 108P of the Zoning Ordinance concurred with the recommendations of the Planning Commission and Zoning Hearing Officer for approval to rezone from R1-8 to C-1 (approximately ten acres), R-3 (approximately 39.9 acres), R1-6 (approximately 39.3 acres), R-3A (approximately ten acres), and R-2 (approximately 28 acres), subject to stipulations. The granting of this application will increase the permitted number of dwelling units allowed on this parcel from 605 to 1,543, approximately.

Mod

- 1. That development be in general conformance to the site plan presented with appropriate modifications as may be necessary due to drainage and circulation needs.
 - 2. That residential densities not exceed the following limits:
 - a. R1-6 maximum 4.0 dwelling units per acre.
 - b. R-2 maximum 8.0 dwelling units per acre.
 - c. R-3 maximum 12.0 dwelling units per acre.
 - d. R-3A maximum 22.0 dwelling units per acre.
 - 3. That each development be subject to Development Coordination office review and approval in accord with Section 511 of the Zoning Ordinance.
 - 4. That a master grading and drainage plan for Parcels 1, 2, and 3 be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development. A master grading and drainage plan for Parcels 4 and 5 shall be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase II development. Each phase shall be in accord with the approved plan.

- 174-87-2 Ratification Page 2

- 5. That the Scatter Wash Floodway be preserved and enhanced in a natural desert state concurrent with Phase I development.
- 6. That the rechannelization of the East Scatter Wash reflect a natural desert design.
- 7. That hiking and riding trails be dedicated within the Scatter Wash and be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development.

 Additional trails shall be provided throughout the site for the use, of the residents and shall tie residential open space areas to the wash, apartments, and commercial areas.
- 8. That: the residential development adjacent to the Scatter Wash be designed with front or side on treatment.
- 9. That the C-1 parcel be subject to the following design standards:
 - B. Maximum of one detached pad architecturally integrated with the entire center design.
 - b. Maximum Floor Area Ratio not to exceed .2.
 - Maximum one-story, 25 feet building height.
 - Minimum 20-foot landscape setbacks together with screening walls/berms or a combination thereof be provided adjacent to perimeter streets.
 - e Minimum 24 inch box size shade trees be provided a maximum of 20 feet on center or placed in equivalent groupings adjacent to perimeter streets with minimum 15 gallon size shade trees spaced a maximum of 20 feet on center around the remainder of the site.
 - 10. That 31st Avenue be fully improved between Rose Garden Lane and the northern boundary of Parcels 1 and 2 as to the 60-foot full street and between the northern boundary of Parcels 1 and 2 and Deer Valley Drive as to the 30-foot half street on the east side concurrent with or prior to Phase II development.
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 - a. 40-foot half street right-of-way for the west side of 27th Avenue.
 - b. 55-foot half street right-of-way for the south side of Deer Valley Drive.
 - c. 30-foot half street right-of-way for the north side of Rose Garden Lane.
 - d. 25-foot half street right-of-way for the east side of 33rd Avenue.
 - e. 60-foot full street right-of-way for 31st Avenue with a 30-foot half street right-of-way on the north half of the site.
 - f. 14' x 14' triangle at the intersection of 31st Avenue and Rose Garden Lane.

Del

174-87-2 Ratification Page 3

- g. 18' \times 18' triangle at the intersection of 31st Avenue and Deer Valley Drive.
- h. 21' x 21' triangle at the intersection of Deer Valley Drive and 27th Avenue.
- Additional right-of-way including bus bays and right turn lanes as determined at the time of Development Coordination Office review.

Sincerely,

David E. Richert

DEPUTY PLANNING DIRECTOR DER/heh/5426NPages1-3

cc: Mr. Grady Gammage Jr.

GAMMAGE AND BURNHAM

Two North Central Avenue, 18th Floor

Phoenix, Arizona 85004

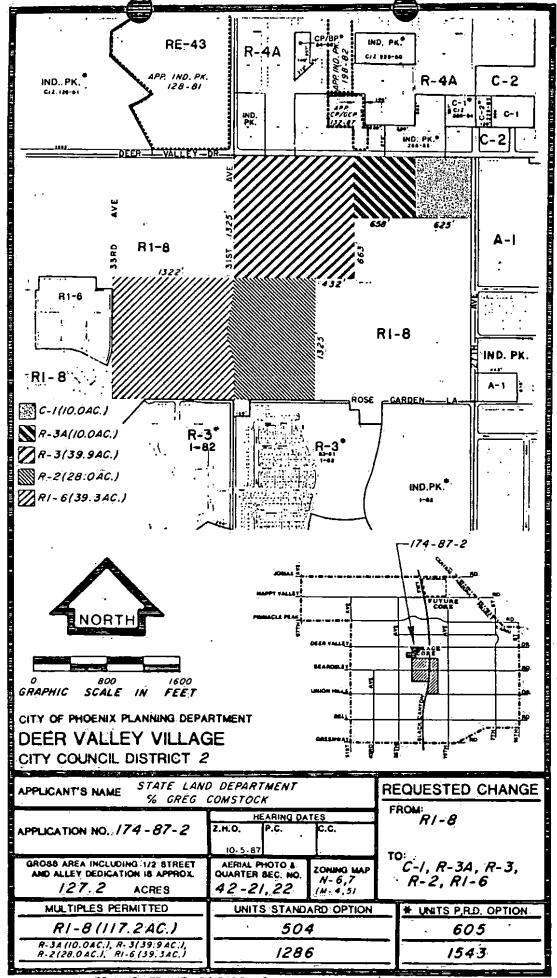
City Clerk

Mr. Neville

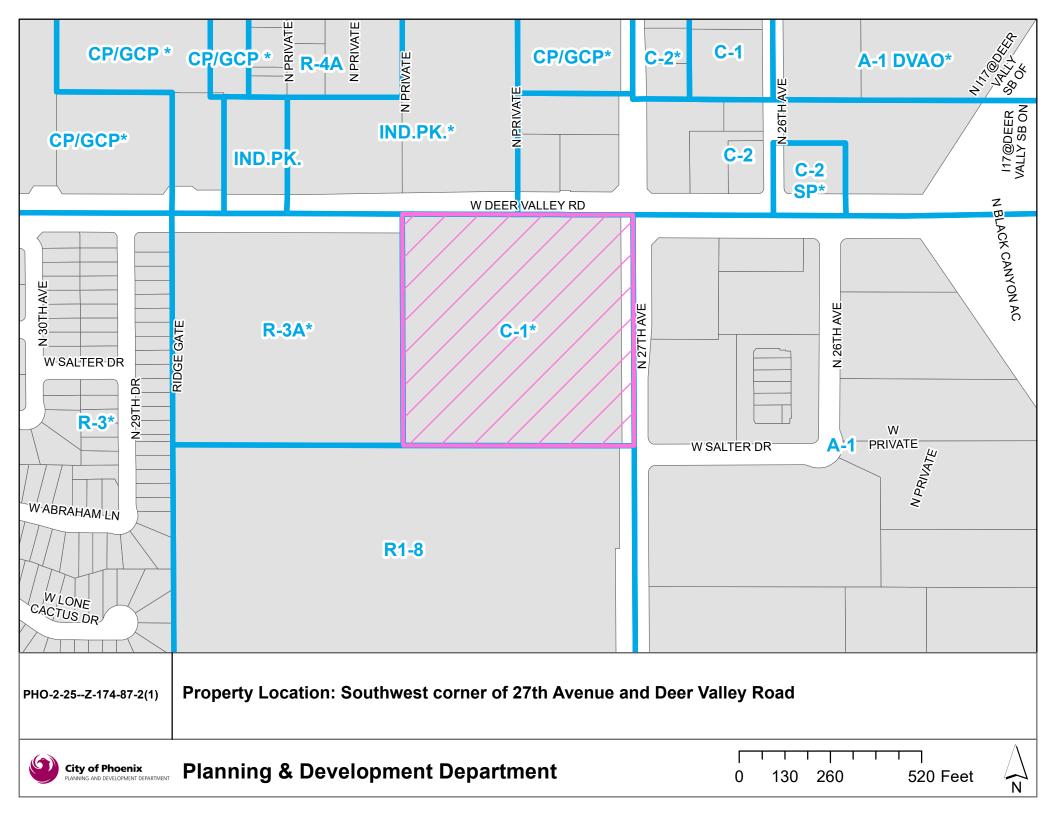
Mr. Muenker

Neighborhood Improvement and Housing

File (2)



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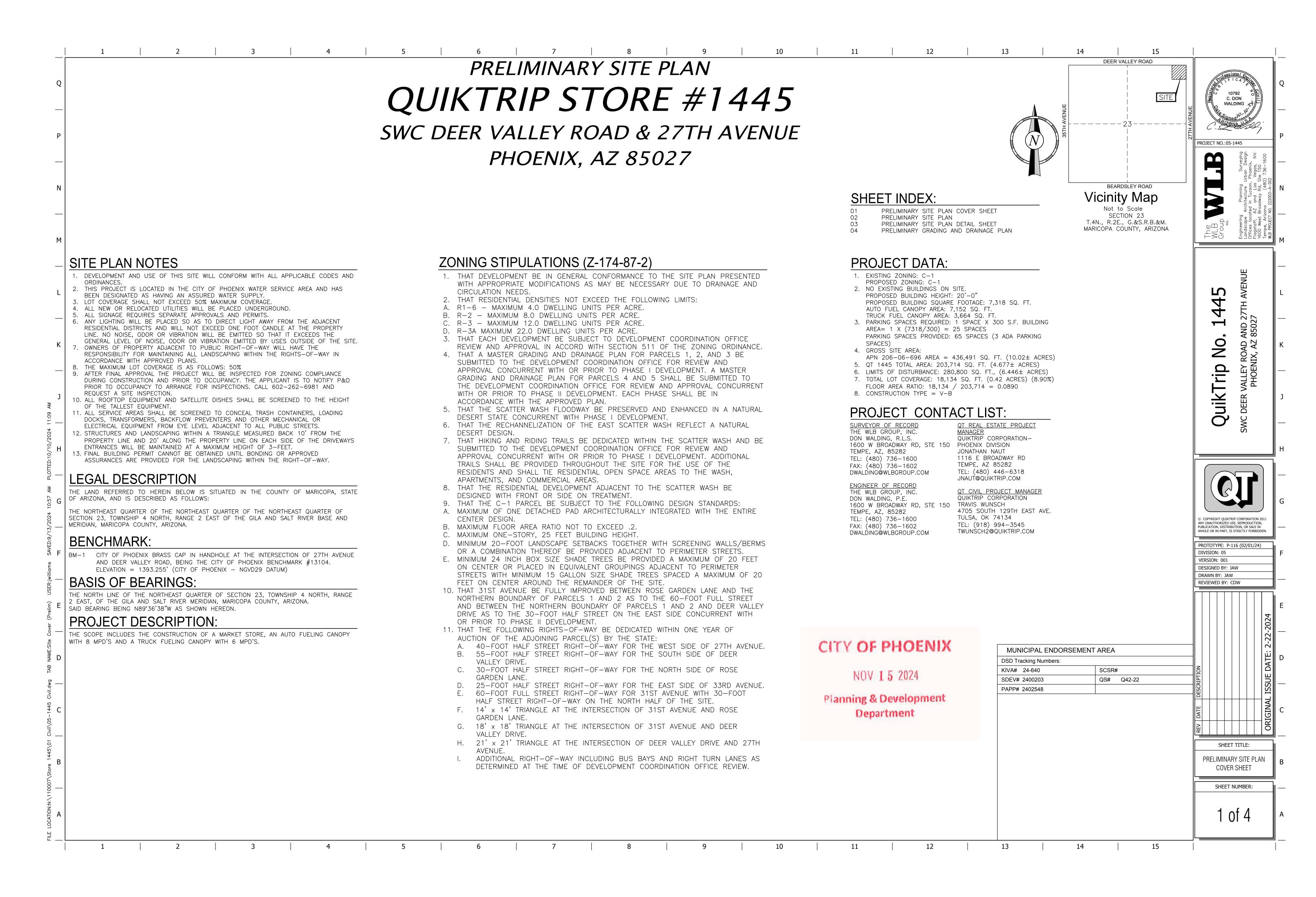


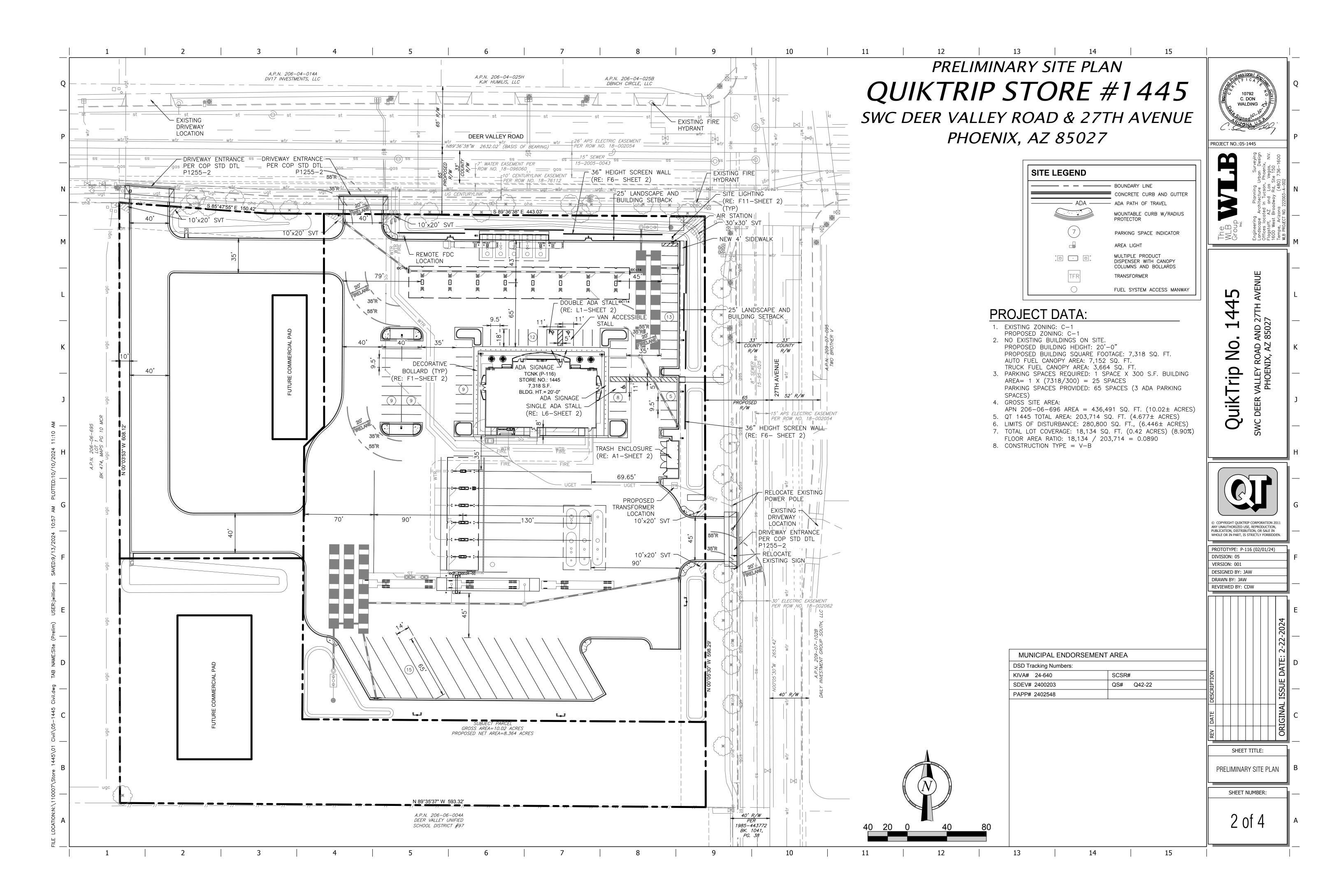


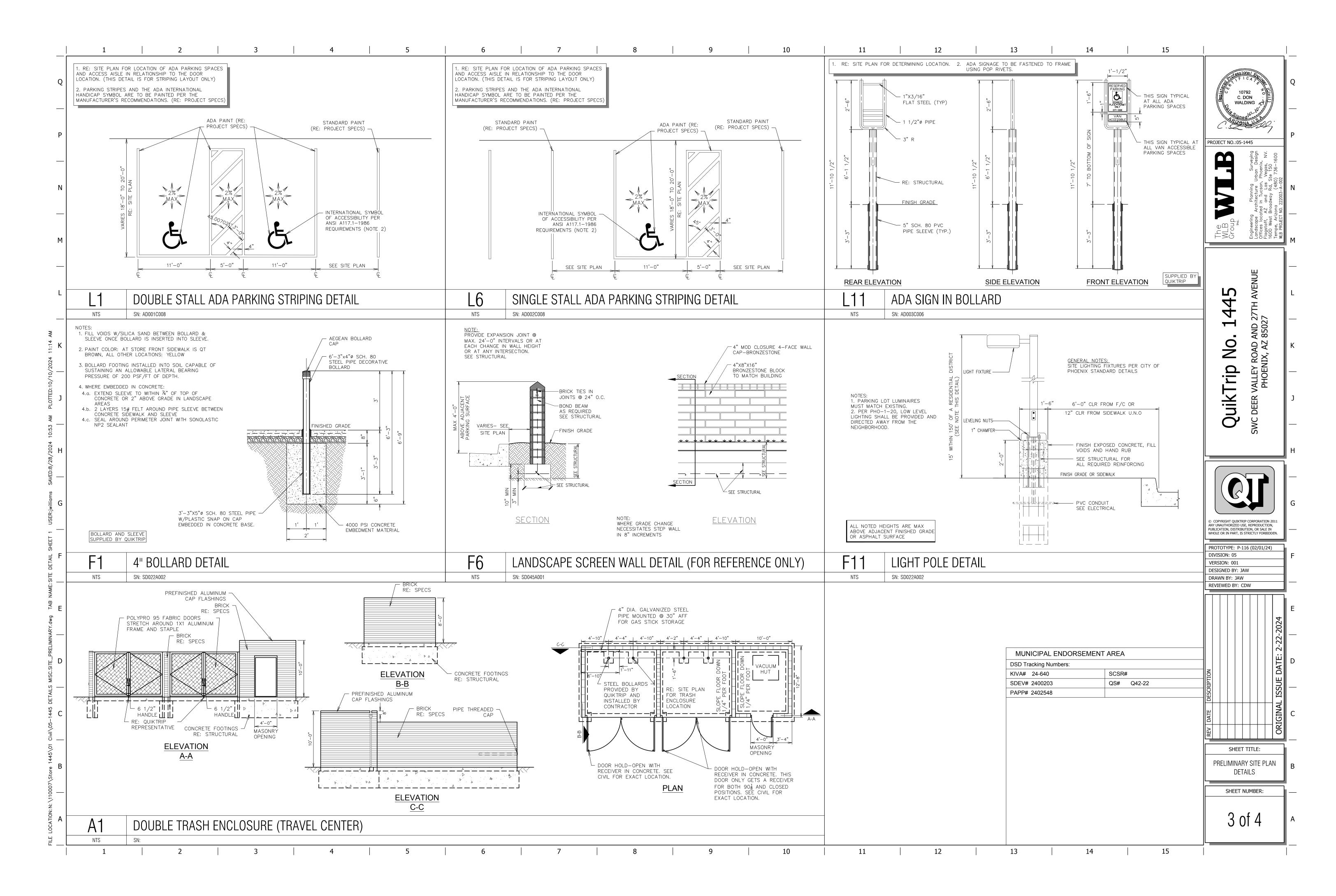
PHO-2-25--Z-174-87-2(1)

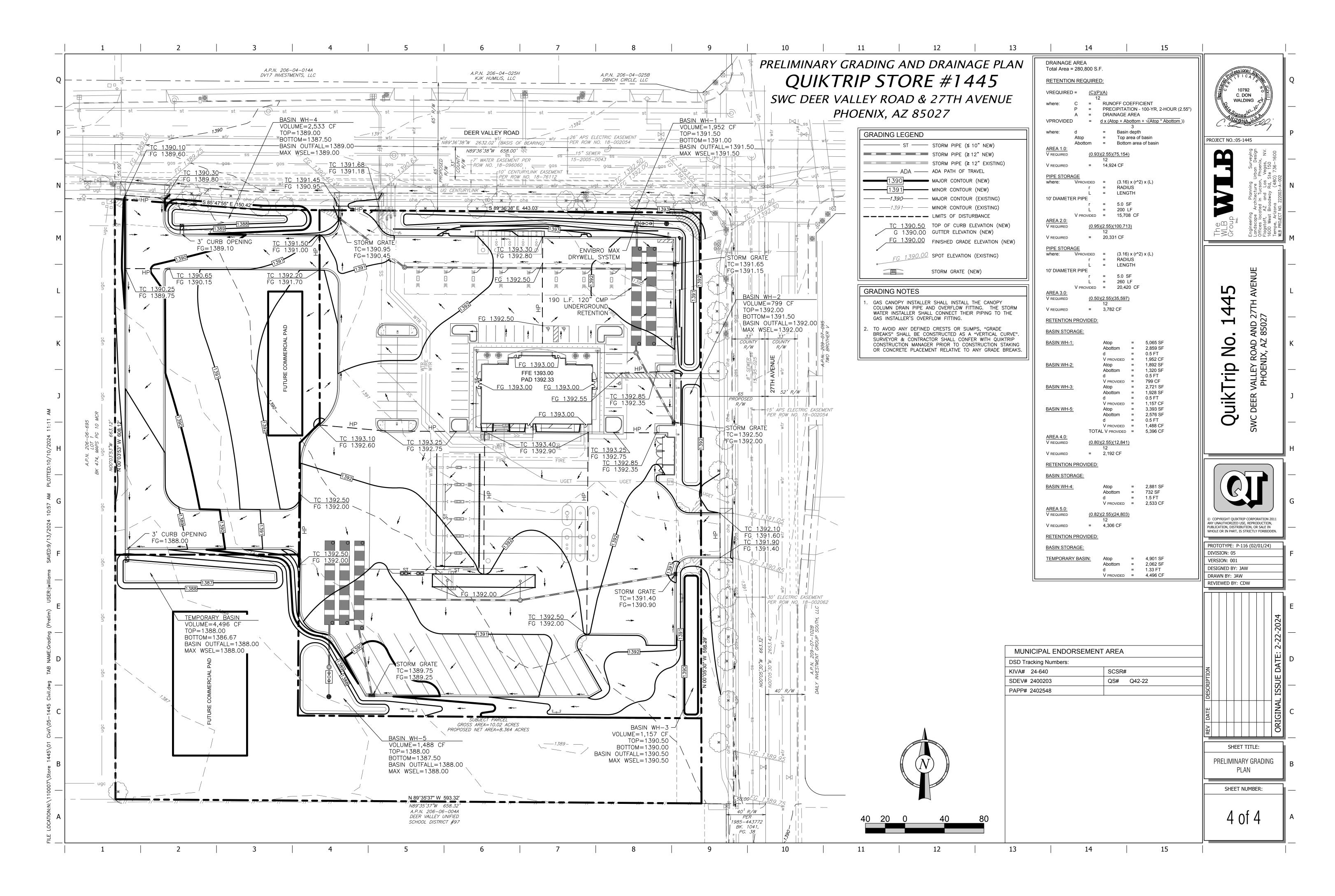
Property Location: Southwest corner of 27th Avenue and Deer Valley Road







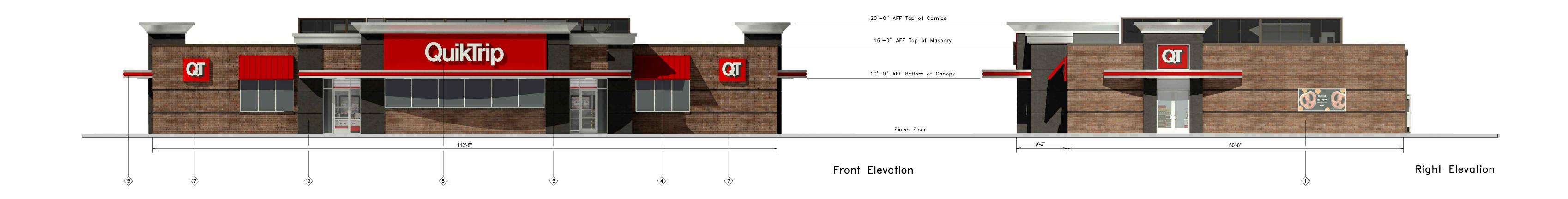




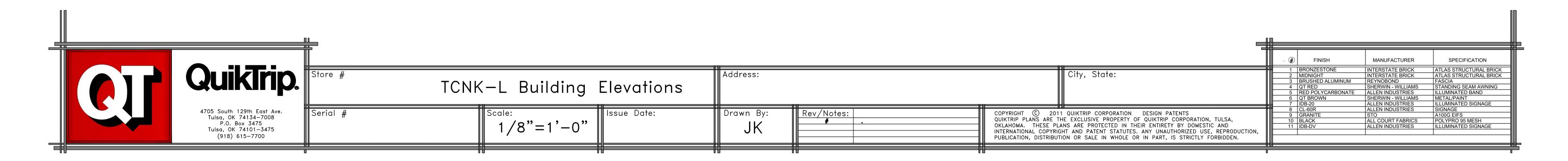
CITY OF PHOENIX

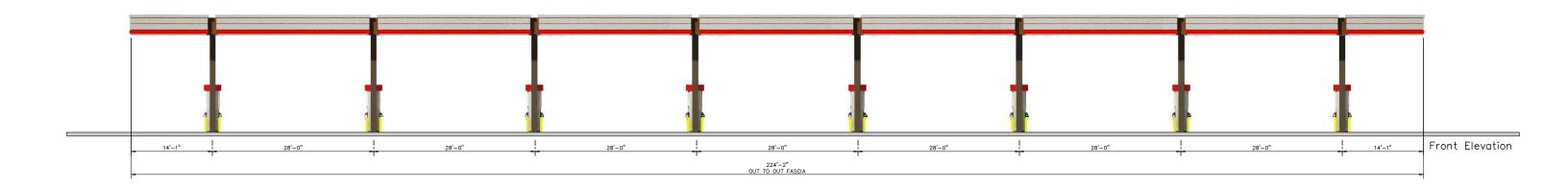
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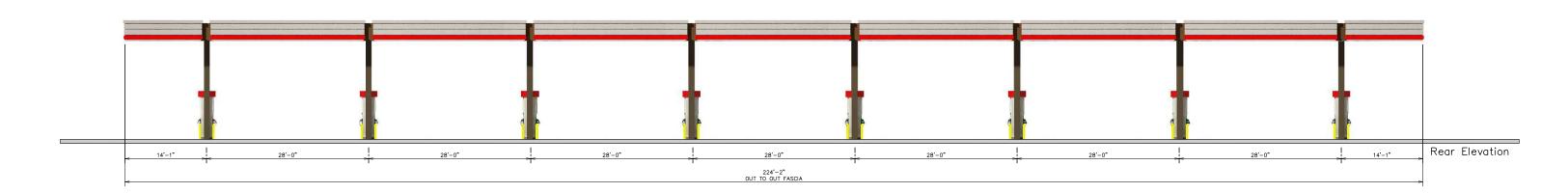
Planning & Development Department

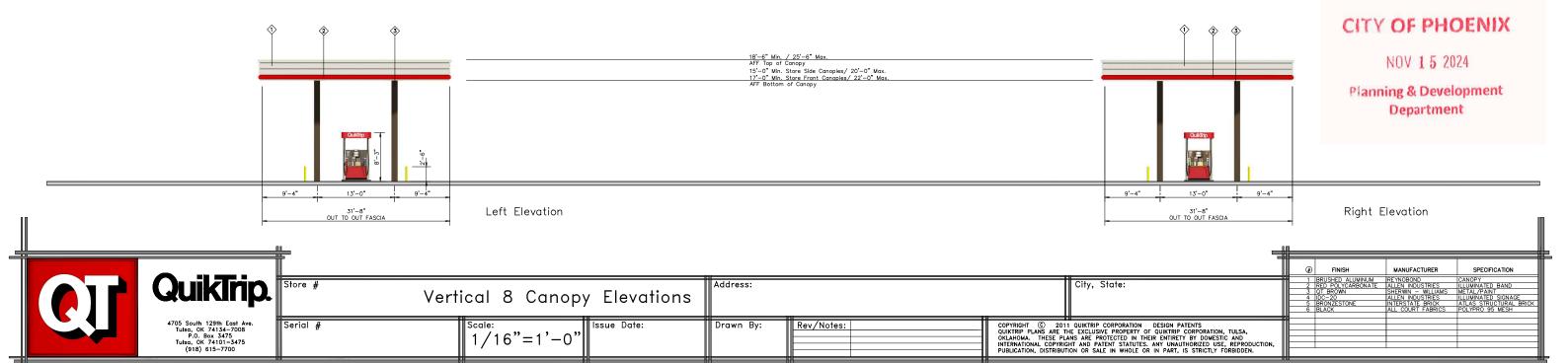


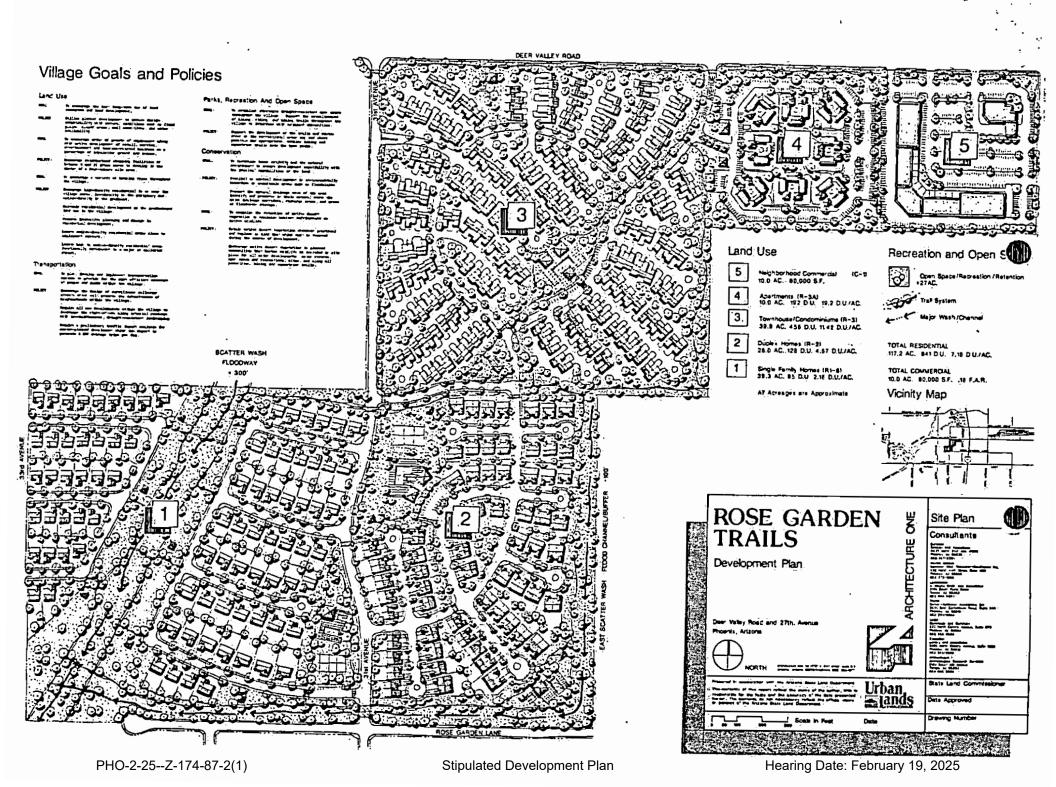


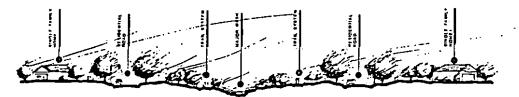




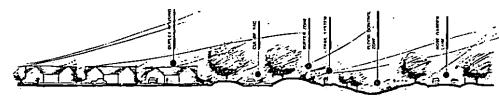




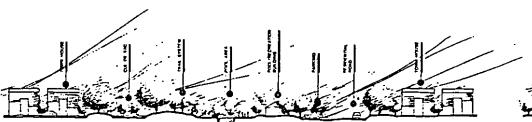




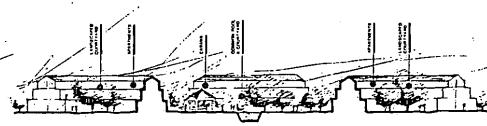
SECTION ONE



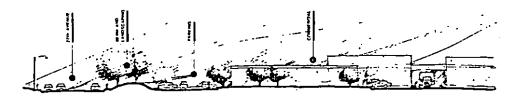
SECTION TWO



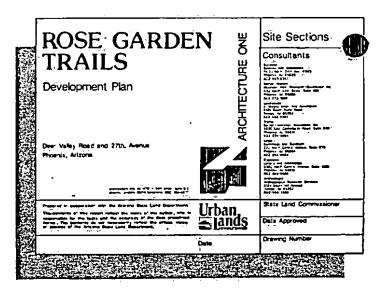
SECTION THREE



SECTION FOUR



SECTION FIVE



October 28, 1987

This establishment is a continuing business formerly known as North Bank Restaurant, Inc.

ITEM 23

Floyd G. Clements, Agent Olive Branch Florist To Go 1503 East Bethany Home Road, Suite 4

Series 9 - District 5 Original License

This is not a convenience market or a gas station.

Virginia E. Bibby, Agent Series 6 - District 6 Slam Dunk

Original License

3855 East Thomas Road

This establishment is a continuing business formerly known as Bibby's Slam Dunk. This is not a convenience market or a gas station.

PETITIONS, COMMUNICATIONS, AND PUBLIC HEARINGS

ITEM 25

DISTRICTS 1, 2, 3, 7, 8 -ZONING CASES SCHEDULED FOR RATIFICATION OF PLANNING COMMISSION ACTION - F-2700

The Council heard request to approve recommendations made on the following zoning matters heard by the Zoning Hearing Officer on October 5, 1987. The cases were ratified by the Planning Commission on October 14, 1987.

MOTION was made by Mr. Adams, SECONDED by Mr. Nelson, that Item 25A through I, except 25F, be ratified. MOTION CARRIED UNANIMOUSLY.

DISTRICT 2 -STATE LAND DEPARTMENT

A. Application 174-87-2: Request of the State Department to rezone an irregularly-shaped parcel generally bounded by 33rd Avenue on the west, 27th Avenue on the east, Rose Garden Lane on the south, and Deer Valley Drive on the north, (approximately 127.2 acres), from R1-8 to C-1 (approximately ten acres), R-3 (approximately 39.9 acres), R1-6 (approximately 39.3 acres), R-3A (approximately ten acres), and R-2 (approximately 28 acres). The granting of this

application will increase the permitted number of dwelling units allowed on this parcel from 605 to 1,543, approximately.

The Planning Commission concurred with the Zoning Hearing Officer and recommends approval, subject to stipulations, with a 4-0 vote.

DISTRICT 1 - GEORGE JOHNSON

B. Application 180-87-1: Request of George Johnson to rezone a parcel located on the south side of Shea Boulevard beginning approximately 363 feet east of 52nd Street, (approximately 1.02 acres) from R1-6 to C-0/G0.

The Planning Commission concurred with the Zoning Hearing Officer and recommends approval, subject to stipulations, with a 4-0 vote.

DISTRICT 2 -NATIONAL ASSOCIATION OF LETTER CARRIERS

C. Application 101-87-2: Request of the National Association of Letter Carriers to rezone a parcel located on the north side of Greenway Road beginning 140 feet west of 37th Avenue (extended), (approximately 3.0 acres) from S-1 to C-2.

The Planning Commission concurred with the Zoning Hearing Officer and recommends denial as filed, and approved of R-5 Special Permit zoning subject to stipulations, with a 4-0 vote.

DISTRICT 1 - ARLINE KING

D. Special Permit 27-87-1: Request of Arline King for issuance of a special permit for a day care center located on the east side of 40th Street beginning 335 feet north of Acoma Street (approximately 0.49 acre).

The Planning Commission concurred with the Zoning Hearing Officer and recommends approval, subject to stipulations, with a 4-0 vote.

October 5, 1987

ITEM NO: 5

DISTRICT NO. 2

SUBJECT

Application No.:

174-87-2

Location:

An irregular shaped parcel generally bounded by Deer Valley Drive to Rose Garden Lane, 27th Avenue, to 33rd

Avenué.

Request:

To rezone from R1-8 to C-1, R-3A, R-2, and R1-6

ACTIONS

Zoning Hearing Officer Recommendation: Approval subject to stipulations.

Staff Recommendation: It is recommended this request be approved subject to stipulations. Development is consistent with the General Plan, providing a residential mix and recreational opportunities supportive of adjacent core development.

Z. H. O. HEARING HIGHLIGHTS

Staff -- Mr. Muenker stated the property lies adjacent to the northern boundary of the Deer Valley Village Core: Proposed residential densities and the commercial retail development are consistent with the land use goals of the General Plan and Deer Valley Village Plan. Staff stated that it should be noted that the Deer Valley Unified School District has expressed opposition to the location of a retail center and apartments adjacent to the Junior High School. Staff, however, supported the request subject to stipulations that establish design standards, assure a coordinated master plan development, and preserve major open space amenities.

Applicant -- Ms. Karen Schroeder, 2 North Central, Phoenix, stated they agreed with the staff recommendation; however, they had a couple of concerns regarding the stipulations, specifically the phasing of drainage improvements, Deer Valley Drive street improvements, and the time period for dedication of right-of-way.

Opposition -- None



ZHO -- Mr. Starr stated he has not problems with the zoning request and agreed to the modification of stipulations.

FINDINGS

- 1. That the development proposal is consistent with the goals of the Deer Valley Village and the General Plan.
- 2. That the proposal will provide a desirable residential mix supporting core area development.
- 3. That residential density increases (within the density limits of the zoning districts requested) would further support development of the village core.
- 4: That the commercial center is of an appropriate neighborhood scale providing a further buffer between the more intensive land uses to the north and east.
- 5. That recreational opportunities will be enhanced through the provision of open space areas, trail systems, and retention of the natural desert wash.
- 6. That area-wide circulation will be improved through site master planning and extension of 31st Avenue.

RECOMMENDATION

It is recommended this request be approved subject to the following stipulations.

STIPULATIONS

- That development be in general conformance to the site plan presented with appropriate modifications as may be necessary due to drainage and circulation needs.
- That residential densities not exceed the following limits:
 - R1-6 maximum 4.0 dwelling units per acre.
 - b. R-2 maximum 8.0 dwelling units per acre.
 - c. R-3 maximum 12.0 dwelling units per acre.
 - d. R-3A maximum 22.0 dwelling units per acre.



- 3. That each development be subject to Development Coordination office review and approval in accord with Section 511 of the Zoning Ordinance.
- 4. That a master grading and drainage plan for Parcels 1, 2, and 3 be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase I development. A master grading and drainage plan for Parcels 4 and 5 shall be submitted to the Development Coordination Office for review and approval concurrent with or prior to Phase II development. Each phase shall be in accord with the approved plan.
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- 8. That the residential development adjacent to the Scatter Wash be designed with front or side on treatment.
- 9. That the C-1 parcel be subject to the following design standards:
 - a. Maximum of one detached pad architecturally integrated with the entire center design.
 - b. Maximum Floor Area Ratio not to exceed .2.
 - c. Maximum one-story, 25 feet building height.
 - d. Minimum 20-foot landscape setbacks together with screening walls/berms or a combination thereof be provided adjacent to perimeter streets.
 - e. Minimum 24 inch box size shade trees be provided a maximum of 20 feet on center or placed in equivalent groupings adjacent to perimeter streets with minimum 15 gallon size shade trees spaced a maximum of 20 feet on center around the remainder of the site.
- 10. That 31st Avenue be fully improved between Rose Garden Lane and the northern boundary of Parcels 1 and 2 as to the 60-foot full street and between the northern boundary of Parcels 1 and 2 and Deer Valley Drive as to the 30-foot half street on the east side concurrent with or prior to Phase II development.



- That the following rights-of-way be dedicated within one year of auction of the adjoining parcel(s) by the State:
 - 40-foot half street right-of-way for the west side of 27th Avenue:
 - 55-foot half street right-of-way for the south side of Deer b. Valley Drive.
 - 30-foot half street right-of-way for the north side of Rose c. Garden Lane.
 - đ. 25-foot half street right-of-way for the east side of 33rd Avenue.
 - 60-foot full street right-of-way for 31st Avenue with a 30-foot e. half street right-of-way on the north half of the site.
 - 14' x 14' triangle at the intersection of 31st Avenue and Rose f : Garden Lane.
 - $18' \times 18'$ triangle at the intersection of 31st Avenue and Deer g -Valley Drive.
 - 21' x 21' triangle at the intersection of Deer Valley Drive and 27th Avenue.
 - Additional right-of-way including bus bays and right turn lanes as determined at the time of Development Coordination Office review.

Zoning Hearing Officer Date

The Zoning Hearing Officer attests to the finding of facts, recommendation, and any stipulations resulting from the Zoning Hearing Officer hearing.

MS:are:5312N