

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION September 7, 2023

ITEM NO: 17	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-35-23-8
Location:	Northeast corner of 27th Avenue and Southern Avenue
From:	C-1, S-1, R1-6, and R-4
To:	C-1
Acreage:	2.98
Proposal:	Convenience store, gas station, and retail
Applicant:	Jason Morris, Withey Morris Baugh, PLC
Owner:	AD Alliance II, LP, et al.
Representative:	Jason Morris, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

South Mountain 8/8/2023 Approval, per the staff recommendation with modifications.

Vote: 8-2.

Planning Commission Recommendation: Approval, per the South Mountain Village Planning Committee recommendation with modifications.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-35-23-8, per the South Mountain Village Planning Committee recommendation with a modification to Stipulation No. 11 to replace 50% with 15%, and Stipulation Nos. 12 and 13 to add "or as approved by the Street Transportation Department".

Maker: Busching
Second: Vice Chairman Gaynor
Vote: 6-0
Absent: Mangum, Perez, Simon
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial, the Rio Montaña Area Plan, and with the character of the surrounding area.
2. The proposal, as stipulated, will create a strong pedestrian environment along Southern Avenue with shaded and detached sidewalks and a multi-use trail alignment along 27th Avenue. These pathways will convey individuals safely and comfortably to the nearby educational uses, commercial uses, and residential neighborhoods.

3. The proposed C-1 zoning district is compatible with the C-2 zoning district to the west across 27th Avenue and the C-1 zoning district to the south across Southern Avenue.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped May 31, 2023 with specific regard to the brick veneer and synthetic stucco building material, as approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. Eight bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances or in a secure location inside the building and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
4. A minimum of two of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department
5. Bicycle parking spaces shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, measured at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.
6. A gateway feature announcing entry into the Rio Montaña Area shall be provided on the southwest corner of the site, as approved by the Planning and Development Department.
7. Existing streetscape beginning at back of curb shall be replenished with trees and ground cover along Southern Avenue, as specified below and approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Shrubs, accents, and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage at maturity.
 - c. THE STREETScape SHALL BE IN COMPLIANCE WITH THE COOPERATIVE EXTENSIONS PLAN FOR RIGHT TREE, RIGHT PLACE.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

8. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the east side of 27th Avenue and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement, in accordance with the MAG supplemental detail and as approved or modified by the Planning and Development Department.

9. All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, measured at summer solstice at noon as shown on a shading study, as approved by the Planning and Development Department.
10. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
11. A minimum of ~~40%~~ ~~50%~~ **15%** of the required parking spaces shall be LEVEL 2 OR GREATER EV Ready.
12. Access along Southern Avenue shall be located at the easternmost limits of the parcel and shall be restricted to right-in / right-out only, **OR AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.**
13. Access on 27th Avenue shall be located at the northernmost limits of the parcel and shall be restricted to right-in / right-out only, **OR AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.**
14. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
15. The bus bay on northbound 27th Avenue shall be retained, as approved by the Planning and Development Department.
16. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
17. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
18. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
19. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

This publication can be made available in alternate format upon request. Please contact Teleia Galaviz 602-602-291-2559, TTY use 7-1-1.