

Attachment D

REPORT OF PLANNING COMMISSION ACTION February 3, 2022

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| ITEM NO: 10 | |
| | DISTRICT NO.: 1 |
| SUBJECT: | |
| | |
| Application #: | Z-SP-3-21-1 |
| Location: | Southwest corner of Central Avenue and Alameda Road |
| From: | A-1 DVAO SP and A-1 DVAO |
| To: | A-1 DVAO SP |
| Acreage: | 39.54 |
| Proposal: | Special permit to allow continuation of a sand and gravel mining operation, concrete batch plant, asphalt blending plant, and all underlying A-1 uses. |
| Applicant: | Beus Gilbert McGroder, PLLC |
| Owner: | Airpark 30, LLC |
| Representative: | Beus Gilbert McGroder, PLLC |

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 1/13/2022 Approval, per the staff recommendation. Vote: 9-0.

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Gaynor made a MOTION to approve Z-SP-3-21-1, per the Deer Valley Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Gaynor
Second: Johnson
Vote: 7-0 (Conflict: Howard)
Absent: None
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Industrial.
2. The request will allow an established business and operation to remain in the area.
3. The existing mining operation is compatible with the surrounding industrial uses.

Stipulations:

1. Upon abandonment of the Special Permit or prior to any preliminary site plan approval for any portion of the site for a use not related to the Special Permit, a reuse plan shall be developed in compliance with the provisions in Section 647 of the Zoning Ordinance, as approved by the Planning and Development Department.
2. New buildings or building additions visible from public right-of-way shall contain architectural embellishments and detailing such as material changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
3. A minimum building setback of 50 feet shall be provided along the east side of the site.
4. A minimum building setback of 50 feet shall be provided along the north side of the site.
5. A minimum 20-foot-wide landscape setback shall be provided along the east and north sides of the site, as approved by the Planning and Development Department.
6. The landscape setbacks along the street frontages shall include shade trees placed 20 feet on center or in equivalent groupings. Twenty five percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper, as approved by the Planning and Development Department.
7. The developer shall dedicate 40 feet of right-of-way and construct the south half of Alameda Road (Misty Willow Lane) alignment, including a detached sidewalk, for the full limits of the project per Cross Section E standards, as approved by the Street Transportation and Planning and Development Departments.
8. The developer shall dedicate 40 feet of right-of-way and construct the west half of Central Avenue for the full limits of the project, including a detached sidewalk, per Cross Section E standards or as approved by the Street Transportation and Planning and Development Departments.
9. 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 Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
10. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be approved by the Planning and Development Department.
11. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

12. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
13. 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.
14. 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.
15. 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.
16. **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.**

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