

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION October 6, 2022

ITEM NO: 8	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-46-22-4
Location:	Northwest corner of the 5th Street alignment and Thomas Road
From:	R-5
To:	WU Code T5:2 MT
Acreage:	0.75
Proposal:	Retail, Restaurant, and Office Uses
Applicant:	David Chamberlin, D.B. Chamberlin & Associates
Owner:	David Chamberlin, Suncor Partners Thomas Office, LLC
Representative:	Benjamin Graff, Quarles & Brady, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Encanto 9/12/2022 Approval, per the staff recommendation. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Encanto Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Vice-Chair Mangum made a MOTION to approve Z-46-22-4, per the Encanto Village Planning Committee recommendation.

Maker: Vice-Chair Mangum

Second: Simon

Vote: 9-0

Absent: None

Opposition Present: No

Findings:

1. The development is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposal, as stipulated, is compatible with the scale of the surrounding area including the commercial uses along Thomas Road and the adjacent historic neighborhood to the north.
3. The proposal, as stipulated, will create a strong pedestrian environment along Thomas Road with shaded and detached sidewalks to convey residents safely and comfortably to the Encanto Primary Core and the Thomas Road Light Rail Station.

Stipulations:

1. The developer shall construct a minimum 6-foot-wide sidewalk separated by a minimum 10-foot-wide landscape area along the north side of Thomas Road planted with minimum three-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
2. The developer shall dedicate a sidewalk easement for the north side of Thomas Road so the total right-of-way and sidewalk easement equals 50 feet, as approved by the Planning and Development Department.
3. A minimum landscape setback of 10 feet in width shall be provided along the west property line for a linear distance of 80 feet measured from the south property line, as approved by the planning and development department.
4. A minimum of 14 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
5. The developer shall dedicate a total of 20-feet along the northern alley, as approved by the Planning and Development Department.
6. The developer shall provide local street paving for the full length of the alley along the development's frontage, as approved by the Planning and Development Department.
7. The developer shall dedication a 10-foot by 10-foot right-of-way triangle for a total 25-foot by 25-foot clearance at the northeast corner of the site, as approved by the Planning and Development Department.
8. 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.
9. 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.
10. 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.
11. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.