

Attachment C- Report of Planning Commission Action

REPORT OF PLANNING COMMISSION ACTION March 1, 2018

ITEM NO: 6	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-72-17-7 (Companion Case GPA-EST-1-17-7)
Location:	Approximately 280 feet west of the northwest corner of 67th Avenue and Van Buren Street
Request:	From: C-3, C-2 To: CP/GCP Acreage: 11.43
Proposal:	Commerce Park
Applicant:	William F. Allison, Withey Morris, PLC
Owner:	West 67, LLC, et. al.
Representative:	William F. Allison, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Estrella 2/20/2018 Approval, per the staff recommendation. Vote: 6-0.

Planning Commission Recommendation: Approval, as recommended by the Estrella Village Planning Committee, with modifications.

Motion discussion: Chairman Johnson asked Commissioner Winger if she meant Stipulation 7.a. to include the loading dock area. Commissioner Winger responded that it does state except within the loading dock area. Commissioner Winger continued with Stipulation 9 that there will be no left-hand turns allowed from the main property entrance onto East Van Buren Street during the schools from the hours of 7:00 a.m. to 8:30 a.m. Ms. Escobar stated the modification to Stipulation 9 would be difficult to enforce. If it were to be in place, they would probably have the applicant post a sign. Chairman Johnson asked if staff needed clarification on the stipulation modifications. Ms. Escobar states yes, there are two entrance points on Van Buren Street and the Street Transportation Department is adamant that the western most entrance point should be right-in, right-out only. She confirmed with Commissioner Winger that the restriction on no left turns during school days would be just for the main entrance. Commissioner Winger confirmed yes, just for the main entrance. Commissioner Winger asked for confirmation on the lighting stipulation. Ms. Escobar stated that the stipulation included that all wall lighting would be limited to 10 feet. Chairman Johnson confirmed that Stipulation 7.a. is going to be changed to read that the 10 feet only applies to the external portion of the site. And Stipulation 7.c. that the development not exceed one foot candle on the northern boundary property line. Also, that the main entrance on Van Buren Street would remove the restriction for right-in, right-out only. Commissioner Winger stated it would enforce a right-in, right-out restriction from 7:00 a.m. to 8:30 a.m. to not interfere with the school drop-off. Ms.

Escolar stated that as far as the stipulation for the one foot candle, that is already required by the Zoning Ordinance. She also pointed out that the applicant did not request any modifications of stipulations at the village meeting. The Village did not have an opportunity to provide input.

Motion details – Commissioner Winger made a MOTION to approve Z-72-17-7 as recommended by the Estrella Village Planning Committee with modifications to Stipulation No. 7.a. that wall lighting shall be limited to 10 feet in height on the perimeter of the building(s) and 15 feet in height along the interior portions of the building(s) along the loading docks, as approved by the Planning and Development Department; and Stipulation No. 9 that the western most driveway be restricted to right-in and right-out only and the main driveway be restricted to right-in and right-out only during school days from 7:00 a.m. to 8:30 a.m., as approved by the Planning and Development Department.

Maker: Winger
Second: Shank
Vote: 7-0
Absent: Montalvo
Opposition Present: No

Findings:

1. The request is not consistent with the General Plan Land Use Map designation of Residential 3.5 to 5 dwelling units per acre. However, staff is recommending approval on a General Plan Amendment (GPA-EST-1-17-7) that is being requested concurrently with this rezoning request.
2. The CP/GCP zoning district will allow future development that is consistent in scale and character with the land use pattern in the surrounding area as well as allow for flexibility of future developments.
3. The subject property has been identified as part of the Southwest Phoenix Major Employment Center as designated by the Maricopa Association of Governments.

Stipulations:

1. A minimum 45-foot building setback shall be provided along the northern boundary of the site.
2. The following landscape setbacks shall be provided for the north and west boundaries of the site:
 - a. A minimum 15-foot landscape setback along the northern boundary of the site.
 - b. A minimum 10-foot landscape setback along the western boundary of the site

All landscape setbacks shall be planted with a minimum 50% two-inch caliper trees and a minimum 50% three-inch caliper or multi-trunk trees, planted 20 feet on center or equivalent groupings with a minimum of five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

3. An average 35-foot, minimum 25-foot landscape setback, shall be provided along Van Buren Street, as approved by the Planning and Development Department. The streetscape landscaping shall be installed and maintained with a minimum 50% two-inch caliper trees and a minimum 50% three-inch caliper or multi-trunk trees, planted 20-feet on center or equivalent groupings with a minimum of five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
4. Trees along the street frontages shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.
5. The development shall comply with the Estrella Village Arterial Landscaping Program, as approved by the Planning and Development Department.
6. Building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
7. All lighting shall be limited to the following:
 - a. Wall lighting shall be limited to 10 feet in height ON THE PERIMETER OF THE BUILDING(S) AND 15 FEET IN HEIGHT ALONG THE INTERIOR PORTIONS OF THE BUILDING(S) ALONG THE LOADING DOCKS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, and
 - b. Lighting within the building setback along the northern boundary of the site shall be limited to 8 feet in height. All light sources shall be shielded to prevent light dispersion onto adjacent properties.
8. The developer shall retain the existing detached sidewalks for the perimeter of the site, as approved by the Planning and Development Department.
9. The development shall be limited to a maximum of two driveways along Van Buren Street, ~~both~~ AND THAT THE WESTERN MOST DRIVEWAY BE restricted to right-in and right-out only AND THE MAIN DRIVEWAY BE RESTRICTED TO RIGHT-IN AND RIGHT-OUT ONLY DURING SCHOOL DAYS FROM 7:00 A.M. TO 8:30 A.M., as approved by the Planning and Development Department.
10. 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.

11. 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.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.