

Attachment C

REPORT OF PLANNING COMMISSION ACTION

April 5, 2018

REVISED 4/11/2018

ITEM NO: 13	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-91-17-1
Location:	Approximately 320 feet east of the northeast corner of 51st Avenue and Bell Road
Request:	From: PSC To: PSCOD Acreage: 2.78
Proposal:	Open Carwash
Applicant:	Keilah Casillas, PM Design Group, Inc
Owner:	AMRESCO Commercial Finance, LLC
Representative:	Keilah Casillas, PM Design Group, Inc

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 3/15/2018 Approval, per the staff recommendation. Vote: 6-0.

Planning Commission Recommendation: Approval, as recommended by the Deer Valley Village Planning Committee, with an additional stipulation and a modified stipulation as read into the record.

Motion discussion –

Commissioner Shank made a MOTION to approve Z-91-17-1, as recommended by the Deer Valley Village Planning Committee, with an additional stipulation as read into the record. The motion was seconded by Commissioner Glenn and was approved by a vote of 6-0.

Ms. Escolar advised Chairman Katsenes that a request to reconsider the motion was submitted by the applicant to modify a stipulation.

Commissioner Glenn made a MOTION to reconsider Z-91-17-1 as previously heard. Commissioner Shank seconded the motion. The motion to reconsider passed by a vote of 6-0.

The applicant requested that Stipulation 3 be modified to not exclude the palm trees in the tree count and to plant the trees 40 feet on center rather than 20 feet.

Commissioner Glenn made a MOTION to approve Z-91-17-1 as recommended by the Deer Valley Village Planning Committee, with the addition of the Proposition 207 Waiver stipulation and to modify Stipulation 3 to 40 feet rather than 20 feet.

Motion details – Commissioner Glenn made a MOTION to approve Z-91-17-1, as recommended by the Deer Valley Village Planning Committee, with an additional stipulation and a modified stipulation as read into the record.

Maker: Glenn
Second: Shank
Vote: 5-1 (Wininger)
Absent: Johnson, Heck
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map Designation of Commercial.
2. As stipulated, the proposal is compatible with the surrounding land uses.

Stipulations:

1. A minimum landscape setback of 12 feet shall be required along the south property line, as approved by the Planning and Development Department.
2. A minimum landscape setback of 12 feet shall be required along the Lindner Drive frontage, as approved by the Planning and Development Department.
3. Drought tolerant, 2 -inch caliper shade or large canopy trees, exclusive of palms trees, planted 20 40 feet on center or in equivalent groupings shall be provided in the landscape setback area along Bell Road and Lindner Drive, as approved by the Planning and Development Department.
4. The developer shall construct or repair all streets within and adjacent to the development with paving, curb, gutter sidewalk, curb ramps, driveways, 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.
5. 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.
6. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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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