

## Attachment J

### REPORT OF PLANNING COMMISSION ACTION

October 3, 2019

REVISED October 14, 2019

ITEM NO: 9	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-86-18-2
Location:	Northeast and southeast corners of Black Canyon Highway and the Dynamite Boulevard alignment
From:	S-1
To:	CP/GCP
Acreage:	18.13
Proposal:	Recreational vehicle and boat storage facility
Applicant:	Mark Temen, Fortress RV Storage, LLC
Owner:	The Prescott Valley Company, et al.
Representative:	Lazarus, Silvyn, & Bangs, PC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

#### Village Planning Committee (VPC) Recommendation:

**Deer Valley** 5/16/2019 No recommendation (Motion to approve per the staff recommendation failed by a 3-5 vote).

**Deer Valley** 7/18/2019 Continued. Vote: 8-0.

**Deer Valley** 9/19/2019 No recommendation (motion to deny failed by a 1-4 (3 abstained) vote and motion to approve failed by a 4-1 (3 abstained) vote).

Planning Commission Recommendation: Approval, per the Addendum B Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-86-18-2, per the Addendum B Staff Report.

Maker: Shank  
Second: Howard  
Vote: 8-0  
Absent: Montalvo  
Opposition Present: Yes

#### Findings:

1. The request is consistent with the General Plan Land Use Map designation of Mixed Use (Commerce Business Park / 15 + dwelling units per acre).

2. As stipulated, the proposed development is compatible with the existing zoning in the surrounding area.

Stipulations:

1. The development shall be in general conformance with the MASTER site plan AND THE ZONING EXHIBITS WITH SETBACKS PLAN date stamped ~~January 29, 2019, MARCH 8, 2019~~ SEPTEMBER 9, 2019, as modified by the following stipulations and as approved by the Planning and Development Department.
2. Drought tolerant, 3-inch caliper evergreen trees 20 feet on center or in equivalent groupings shall be provided in the landscape setback areas, as approved by the Planning and Development Department.
3. All perimeter walls shall incorporate stone veneer, stonework, integral color CMU block or faux stone, and be compatible with the existing wall on the northern most property lines, as approved by the Planning and Development Department.
4. A minimum landscape setback of 30 feet shall be required along the west property lines, as approved by the Planning and Development Department.
- ~~5. A minimum landscape setback of 20 feet shall be required along the north and south property lines, as approved by the Planning and Development Department.~~
- ~~6. Minimum landscape setbacks shall be provided as follows along the eastern property line as depicted in the setback exhibit dated January 29, 2019 and as approved by the Planning and Development Department.
  - ~~a. A minimum setback of 20 feet for the northern 420 feet.~~
  - ~~b. A minimum setback of 15 feet for the middle 343 feet.~~
  - ~~c. A minimum setback of 10 feet for the southern 160 feet, terminating at the 20-foot landscape setback along the southern property line.~~~~
- ~~7. The developer shall coordinate access and frontage requirements with the Arizona Department of Transportation.~~
- ~~8. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property.~~
- ~~9. 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.~~
- ~~10. 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.

41. 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.
9. ~~42. 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.~~
10. ~~43. NO MECHANICAL OR BODY REPAIR/MAINTENANCE FACILITIES SHALL BE PERMITTED ON THE PREMISES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
11. ~~44. LIGHTING SHALL BE SHIELDED WITH CUT-OFF FIXTURES AND DEFLECTORS TO REFLECT LIGHT DOWNWARD AND LIMIT ON-SITE LIGHTING LEVELS TO A MAXIMUM OF ONE-HALF FOOT CANDLE AT THE NORTH AND EAST PROPERTY LINES.~~
12. ~~45. STORAGE ACCESS TO THE NORTH PORTION OF THE SITE, FOR PHASE II OF THE DEVELOPMENT, SHALL HAVE LIMITED HOURS FROM 7:00 A.M. TO 9:00 P.M.~~
13. ~~46. STORAGE ACCESS TO THE SOUTH PORTION OF THE SITE (APNS 205-01-001E, 205-01-011H AND 205-01-011X AS SHOWN ON THE ZONING EXHIBITS WITH SETBACKS PLAN DATE STAMPED SEPTEMBER 9, 2019), FOR PHASE I OF THE DEVELOPMENT, SHALL HAVE LIMITED HOURS FROM 5:00 A.M. TO 10:00 P.M.~~
14. ~~46. THE MINIMUM WALL HEIGHT ALONG THE SOUTH PROPERTY LINES AND THE EAST PROPERTY LINES ADJACENT TO MULTIFAMILY RESIDENTIAL ZONING SHALL BE NO LESS THAN 8 FEET.~~
14. ~~48. A MINIMUM 25 FOOT PUBLIC ACCESS AND PUBLIC UTILITY EASEMENT SHALL BE DEDICATED ALONG THE SOUTH PORTION OF THE SITE, TO ALLOW FOR UTILITIES AND ACCESS TO THE PROPERTIES TO THE SOUTH AND EAST AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
15. FOR THE FUTURE GENERAL COMMERCE PARK OPTION DEVELOPMENT AREA (APNS 204-23-001A AND 204-23-009D AS SHOWN ON THE ZONING EXHIBITS WITH SETBACKS PLAN DATE STAMPED SEPTEMBER 9, 2019), A CONCEPTUAL SITE PLAN AND BUILDING ELEVATIONS SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS

A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY.  
SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS MAY BE  
DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

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