

Attachment D

REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 5	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-49-21-7 (Companion Case Z-SP-5-21-7) (Continued from 11/4/2021)
Location:	Approximately 100 feet west of the northwest corner of 59th Avenue and Lower Buckeye Road
From:	RE-35
To:	C-2
Acreage:	11.83
Proposal:	Commercial
Applicant:	EAPC Architects Engineers
Owner:	Arizona Department of Transportation
Representative:	Michelle Bach, EAPC Architects Engineers

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Estrella 10/19/2021 Continued to November 16,2021. Vote: 7-0.

Estrella 11/16/2021 Approval, per the staff recommendation. Vote: 5-0.

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

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-49-21-7, per Estrella Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Perez
Second: Howard
Vote: 8-0
Absent: Johnson
Opposition Present: No

Findings:

1. The proposed commercial development is appropriately located at the intersection of two arterial streets, adjacent to a multi-use trail, within close proximity to the Loop 202 freeway, and within a Village Core.
2. The proposed commercial development, as stipulated, is compatible with the surrounding land uses and many goals of the Estrella Village Plan and Estrella Village Arterial Street Landscaping Program.
3. The proposed zoning will allow the site to develop with uses consistent with those envisioned in the Estrella Village Core Plan and provide a mix of services.

Stipulations:

1. Building elevations shall be developed with a common architectural theme to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability to provide a decorative and aesthetic treatment.
 - b. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
 - c. A minimum of two building materials listed in the Estrella Village Core Plan shall be utilized in all building elevations.
2. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as noted herein, as approved by the Planning and Development Department.
3. Project entry drives along Lower Buckeye Road shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials. Each landscaped area shall be a minimum of 125-square feet, as approved by the Planning and Development Department.
4. Project entry drives along Lower Buckeye Road shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
5. Where perimeter walls are adjacent to the Loop 202 freeway drainage channel, these shall be limited to open view wrought iron fencing or similar material, or a combination of 4-foot solid masonry topped by wrought iron open view fencing or similar material, unless required otherwise by the Zoning Ordinance, as approved by the Planning and Development Department.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
7. The following pedestrian shade standards shall be met as described below and as approved or modified by the Planning and Development Department:
 - a. Pedestrian walkways connecting the commercial buildings to adjacent public sidewalks shall be shaded to a minimum of 75 percent using large canopy drought tolerant shade trees at maturity and/or architectural shade.
 - b. The bus stop along Lower Buckeye Road shall be shaded to a minimum of 50 percent.
8. A system of pedestrian thoroughfares shall be provided as described below and as approved or modified by the Planning and Development Department:

- a. Connections to/between via the most direct route:
 - (1) All building entrances.
 - (2) Adjacent public sidewalks.
 - (3) The bus stop along Lower Buckeye Road.
 - b. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts with parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
9. The development shall incorporate bicycle infrastructure, as described below and as approved by the Planning and Development Department.
- a. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance of each enclosed commercial building 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.
 - b. One bicycle repair station (“fix it station”) shall be provided and maintained within close proximity to Lower Buckeye Road or the C Store building as depicted in the site plan date stamped July 12, 2021. The bicycle repair station (“fix it station”) shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
10. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the north side of Lower Buckeye Road and construct a minimum 10-foot wide-multi-use trail (MUT) within the easement, in accordance with the MAG supplemental detail indicated in Section 429 and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
11. The developer shall dedicate right-of-way and construct one bus stop pad along westbound Lower Buckeye Road west of 59th Avenue. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The bus stop pad shall be spaced from the intersection according to City of Phoenix Standard Detail P1258.
12. All sidewalks along Lower Buckeye Road shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.

- a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
- b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
- c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along 59th Avenue shall be a minimum of 5 feet in width and detached with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Arizona Department of Transportation (ADOT) and/or the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees to provide a minimum 75 percent shade.
 - b. Drought tolerant vegetation maintained at a maximum height of 24 inches and achieve 75 percent live coverage.
 - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

14. All proposed driveways along Lower Buckeye Road shall require the approval of the Arizona Department of Transportation (ADOT) and the Planning and Development Department.
15. 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.
16. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
17. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.

18. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.

19. **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.**

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.