

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION April 4, 2024

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| ITEM NO: 9 | |
| | DISTRICT NO.: 2 |
| SUBJECT: | |
| | |
| Application #: | Z-237-L-85-2 |
| Location: | Southeast corner of Cave Creek Road and Desert Willow Parkway |
| From: | C-1 PCD |
| To: | C-2 PCD |
| Acreage: | 0.98 |
| Proposal: | Wine Bar |
| Applicant: | Ellie Brundige, Gammage & Burnham, PLC |
| Owner: | Tuscany Village Center, LLC c/o Randall Raskin |
| Representative: | Chloe Plaisance, Gammage & Burnham, PLC |

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Desert View 4/2/2024 Approval, per the staff recommendation. Vote: 8-0.

Planning Commission Recommendation: Approval per the Desert View Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-237-L-85-2, per the Desert View Village Planning Committee recommendation.

Maker: Gorraiz
Second: Hu
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. The proposal is consistent with the existing commercial use of the parcel.
2. The proposal will provide additional retail and service options for the surrounding neighborhoods within an existing shopping center.
3. Upon any redevelopment, as stipulated, the proposal will provide enhanced standards for shade and bicycle parking.

Stipulations:

1. All buildings shall exhibit a cohesive architectural theme and style with buildings on the entire site.
2. All on site lighting shall be a maximum of 15 feet in height including lamp, pole, and base.
3. Upon site plan approval and permit issuance for any new building(s) or structure(s) or expansion of existing buildings by at least 25% of the floor area within the rezoned area, as shown on the site plan date stamped January 3, 2024, the following shall apply within the rezoned area:
 - a. The maximum building height shall be 23 feet, as approved by the Planning and Development Department.
 - b. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees at maturity, or a combination thereof. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
 - c. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
 - d. A minimum of 10 percent of the required parking shall be EV Ready.
 - e. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
4. 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.
5. Prior to final 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.

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