

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION March 2, 2023

ITEM NO: 7	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-34-20-3 (Pioneer Landscape Center PUD)
Location:	Northeast corner of Cave Creek Road and the Shangri La Road alignment
From:	C-3
To:	PUD
Acreage:	2.32
Proposal:	A Planned Unit Development to allow a landscape material sales and outdoor storage, and C-3 uses.
Applicant:	Pioneer Landscape Centers
Owner:	Pierce Enterprises, Inc.
Representative:	Chris Colyer, Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Mountain 7/20/2022 Information only.

North Mountain 2/15/2023 Approval, per the staff recommendation with modifications. Vote: 15-0.

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

Motion Discussion: N/A

Motion details: Commissioner Jaramillo made a MOTION to approve Z-34-20-3, per the North Mountain Village Planning Committee recommendation.

Maker: Jaramillo
Second: Mangum
Vote: 8-0
Absent: Simon
Opposition Present: No

Findings:

1. The proposed development is compatible with the existing land use pattern in the area.
2. The proposed development contains enhanced standards that will advance the purpose and intent of both the Complete Streets Guidelines and the Comprehensive Bicycle Master Plan.
3. The proposed development contains enhanced standards that will advance the purpose and intent of the Tree and Shade Master Plan.

Stipulations:

1. An updated Development Narrative for the Pioneer Landscape Center PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped November 30, 2022 as modified by the following stipulations.
 - a. Front Cover: Add “City Council adopted: [Insert Adoption date].”
 - b. Page 9: Change the heading title from “Proposed PUD” to “PUD Requirements.”
 - c. Page 10, Section D4: Shade: Replace the shade standard as follows:
 - a. Public and private sidewalks Minimum 75%
 - b. Employee and customer Minimum 25%
parking areas
 - d. Page 10: Add a section regarding required vehicular parking standards, including the following: “Vehicular parking standards shall follow Section 702 requirements of the Zoning Ordinance.”
2. For any development that modifies the cumulative floor area of any building by more than 2,000 square feet, including demolition, from that depicted on the conceptual site plan date stamped November 30, 2022, the conceptual site plans, conceptual landscape plans, and elevations shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. There shall be no more than one point of ingress/egress from Cave Creek Road.
 - b. The public sidewalk along Cave Creek Road shall be constructed to a width of 5 feet and detached from the back of curb by a minimum 11-foot-wide landscape area planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
 - i. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
 - ii. Drought tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
 - c. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances 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.

D. THE DEVELOPER SHALL DEDICATE A TOTAL 50-FEET OF RIGHT-OF-WAY WHERE THE LAST 10-FEET MAY BE DEDICATED AS SIDEWALK EASEMENT FOR THE EAST SIDE OF CAVE CREEK ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT

- ~~3.~~ The developer shall dedicate a 10-foot sidewalk easement for the east half of Cave Creek Road, as approved by the Planning and Development Department.
3. 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.
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 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.

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