

Attachment D

REPORT OF PLANNING COMMISSION ACTION August 1, 2019

ITEM NO: 7	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-16-19-4 (Companion case Z-SP-3-19-4)
Location:	Northeast corner of 16th Street and Palm Lane
From:	R-3 RI, R-4 RI, and C-2
To:	C-2
Acreage:	3.22
Proposal:	Commercial uses
Applicant:	John Stevenson; Clear Sky Capital
Owner:	MOD Development, LLC
Representative:	John Stevenson; Clear Sky Capital

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Encanto 7/1/2019 Approval, per the staff recommendation with an additional stipulation.
Vote: 9-4.

Planning Commission Recommendation: Approval, per the Encanto Village Planning Committee recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-16-19-4, per the Encanto Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Howard
Second: Glenn
Vote: 8-0
Absent: Johnson
Opposition Present: Yes

Findings:

1. The proposal is consistent with the Commercial General Plan Land Use Map designation.
2. As stipulated, the proposal is compatible with the surrounding land use pattern.
3. The proposal will add additional commercial space and an improved

streetscape in the village.

Stipulations:

1. The development shall be in general conformance to the elevations date stamped June 21,2019, as approved by the Planning and Development Department.
2. The elevations shall include wall art/decorative elements with specific regard to the areas depicted on the elevations date stamped June 21, 2019.
3. The building setback along the east property line, adjacent to multifamily zoning shall be a minimum of 50 feet.
4. Minimum 3-inch caliper shade trees, planted 20 feet on center or in equivalent groupings shall be planted along the north and east property lines adjacent to multifamily zoning to provide screening for adjacent residences, as approved by Planning and Development Department.
5. The sidewalk along Palm Lane and 16th Street shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and planted with minimum 2-inch caliper shade trees, as approved by the Planning and Development Department.
6. Trees located within the required landscape setback along 16th Street and Palm Lane shall be planted adjacent to the sidewalk and provide 50% shade as measured on summer solstice at 12:00 p.m., as approved by Planning and Development Department.
7. Minimum 15% of the surface parking lot area must be landscaped exclusive of required perimeter landscaping and all required setbacks. Minimum 2-inch caliper shade trees shall be required in the surface parking lot landscape planters, as approved by the Planning and Development Department.
8. A minimum of two inverted-U bicycle racks for guests or employees shall be provided on site and installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
9. Access to 17th Street shall be limited to emergency access only.
10. Right-of-way totaling 40 feet shall be dedicated for the east half of 16th Street, as approved by the Planning and Development Department.
11. Dedicate a 10-foot sidewalk easement for the full extent of the property frontages along 16th Street.
12. No driveway shall be allowed between the existing school crosswalk and the stop bar location for the existing HAWK signal to the south of the crosswalk.
13. 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.

14. Dedication of right-of-way along 16th Street shall be provided for construction of a northbound bus stop pad. The bus stop pad shall be constructed in accordance with City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet. The Bus stop pad shall be spaced from the intersection of 16th Street and Palm Lane per the City of Phoenix Standard Detail P1285.
15. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
16. 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.
17. MINIMUM 2,500 SQUARE FEET SHALL BE DEDICATED FOR A COMMUNITY ROOM AND COMMUNITY TOOL SHED.
18. 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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