

Attachment D

REPORT OF PLANNING COMMISSION ACTION January 6, 2022

ITEM NO: 12	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-65-21-3
Location:	Southwest corner of 17th Street and Bell Road
From:	R-O
To:	C-1
Acreage:	1.08
Proposal:	Karate Studio
Applicant:	Octavian Belostecinic
Owner:	A&M Truck and Trailer Repair, LLC
Representative:	Taylor Earl, Earl & Curley

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 12/6/2021 Approval, per the staff recommendation with a modified stipulation.
Vote: 12-0.

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

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-65-21-3, per the Paradise Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Johnson
Second: Gaynor
Vote: 8-0
Absent: Shank
Opposition Present: No

Findings:

1. The request is consistent with uses in the surrounding area and will act as an appropriate transition between the single-family to the south and southeast and the more intense commercial uses to the west.
2. The proposed development is appropriately located adjacent to an arterial street and will provide an opportunity for a use that provides services to nearby residential.
3. The development, as stipulated, will maintain an appropriate scale to ensure that it remains compatible with the area.

Stipulations:

1. No vehicular access shall be provided along 17th Street, as approved by the Planning and Development Department.
2. The developer shall construct a minimum 5-foot-wide ~~detached~~ ATTACHED sidewalk ~~and a minimum 13-foot-wide landscape area located between the back of curb and sidewalk~~ along Bell Road and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent.
 - b. Drought tolerant vegetation to achieve 75 percent live coverage.

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

3. The required landscape setback along the south property boundary shall be planted with minimum 2-inch caliper trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. A clearly defined, accessible pedestrian pathway shall be provided to connect building entrances, bus stop pads, and public sidewalks, to 17th Street using the most direct route for pedestrians, as approved by the Planning and Development Department.
5. The development shall be in general conformance with the building elevations date stamped September 29, 2021, as approved by the Planning and Development Department.
6. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site 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.
7. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. The developer shall dedicate a minimum 5-foot-wide sidewalk easement and construct the south side of Bell Road, as approved by the Planning and Development Department.
9. 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.
10. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process,

prior to final site plan approval, as per plans approved by the Planning and Development Department.

11. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
12. 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.
13. **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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