

## ATTACHMENT C

### REPORT OF PLANNING COMMISSION ACTION August 1, 2024

ITEM NO: 10	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	PHO-1-24--Z-101-98-2
Location:	Approximately 280 feet south of the southwest corner of 25th Street and Bell Road
Existing Zoning:	C-3
Acreage:	2.31
Request:	Request to modify Stipulation 7 regarding emergency vehicle access on 25th Street.
Applicant:	Randy Gilliam
Owner:	Scott Feuer, Orsett Cave Creek Bell, LLC
Representative:	Randy Gilliam

#### **ACTIONS:**

##### Village Planning Committee (VPC) Recommendation:

**Paradise Valley:** No recommendation

Planning Hearing Officer (PHO) Recommendation: The Planning Hearing Officer heard the request on May 15, 2024 and recommended denial.

Staff Recommendation: Denial, as recommended by the Planning Hearing Officer.

Planning Commission Recommendation: Approval, per the applicant's request with a modification.

##### Motion Discussion:

Commissioner Matthews voiced a concern about truck traffic moving south from the property down 25th Street and inquired to staff how best to address this concern.

Ms. Racelle Escolar recommended adding a requirement for signage as a part of the stipulation.

Motion details: Vice-Chairperson Busching made a MOTION to approve PHO-1-24—Z-101-98-2, per the applicant's request with a modification to Stipulation 7 to allow access as long as a sign is posted, as approved by the Planning and Development Department, that such vehicles can access to the north.

Maker: Vice-Chairperson Busching.

Second: Matthews

Vote: 8-0

Absent: Read

Opposition Present: No

##### Findings:

1. The request to modify Stipulation 7 regarding gated entry access drive is recommended to be approved with a modification.

The Street Transportation Department and PHO recommended denial based on Section 507 Tab A.II.A.6.3.1 of the Phoenix Zoning Ordinance prohibiting nonresidential uses access to local or collector streets.

**6.3.1.** Nonresidential uses should not be permitted to access local or collector streets if adequate access is available to arterial streets. (P)

*Rationale: Nonresidential traffic on local streets should be minimized and directed out of neighborhoods.*

The subject site is zoned C-3, developed with a nonresidential use, and 25th Street is a local residential road. The local street is the only street frontage directly adjacent to the property. Access to arterial streets is through a shared access drive. The proposed access to the local street can be minimized and directed out of the neighborhood by requiring a sign that prohibits/discourages southbound traffic on the local street.

### Stipulations:

#### MITIGATING STANDARDS

1. That, except as modified by the following stipulation the site design shall be in substantial conformance to the site plan dated September 6, 1998, as may be modified by the Development Services Department. Site design shall place emphasis on mitigating impacts upon the surrounding neighborhood. This emphasis shall include, but not be limited to; screening and landscaping, traffic mitigation, graffiti resistant wall treatment and CPTED design principles.
2. That a minimum of 20-foot landscape setback shall be provided along 25th Street and at the south property line. The landscape area shall contain minimum 15-gallon trees placed 20 feet on center. At least 50 percent of the trees shall be a minimum of 24-inch box in size.
3. That any materials stored on the site shall be screened from view so that they do not exceed the height of the screening walls and are not visible over the perimeter wall regardless of height.
4. That there be no storage of inoperable vehicles.
5. That landscaping adjacent to the walls shall include materials which as cat claw which by means of their clinging nature thorns or other features, discourage graffiti.
6. That the gated emergency entry shall consist of materials designed to screen views from the property.
7. **~~That there be no VEHICLE~~ access onto 25th Street ~~except for emergency vehicles.~~ SHALL BE ALLOWED AS LONG AS A SIGN IS POSTED, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, THAT SUCH VEHICLES CAN ACCESS TO THE NORTH.**
8. That CPTED (Crime Prevention Through Environmental Design) principles shall be incorporated into the design and layout of this site, as approved by the Development Services Department.
9. That the applicant agrees to pursue a variance for a 10-foot screen wall.
10. That development shall commence within one year of final City Council approval in accordance

with Section 506.B.1 of the Zoning Ordinance.

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