

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION October 1, 2020

ITEM NO: 10	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-4-20-8
Location:	Approximately 400 feet south of the southwest corner of 32nd Street and Roeser Road
From:	R1-6
To:	CP/GCP
Acreage:	1.57
Proposal:	Landscape contractor office and yard
Applicant:	Rose Law Group - Nick Labadie
Owner:	Plantinum Estates Development, LLC
Representative:	Rose Law Group - Nick Labadie

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**South Mountain** 9/8/2020 Approval, per the staff recommendation. Vote: 15-0.

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

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-4-20-8, per the South Mountain Village Planning Committee recommendation with an additional stipulation as read into the record.

Maker: Mangum  
Second: Johnson  
Vote: 7-0  
Absent: Montalvo, Shank  
Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation of Commerce/Business Park.
2. The proposed commerce park development, as stipulated, is compatible with the surrounding land uses.
3. The proposed development will further the goals of the Esteban Park Area Plan.

Stipulations:

1. Building elevations adjacent and oriented to public streets shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
2. Perimeter walls, including existing walls, adjacent to public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
3. The required street side landscape setback shall be planted with single-trunk drought-tolerant shade trees and other vegetation. There shall be a minimum of five 3-inch caliper trees and four 2-inch caliper trees, and five 5-gallon shrubs per tree to achieve 75-percent live coverage. The required landscaping shall be located in front of perimeter walls along 32nd Street where conflicts with the MUTE, multi-use trail and/or utilities do not exist. Trees shall be oriented to provide the maximum shade possible to the multi-use trail and sidewalk along 32nd Street, as approved by the Planning and Development Department.
4. A minimum 5-foot wide landscape setback shall be provided along the north property line and shall be planted 20 feet on center, or in equivalent groupings, with large canopy drought-tolerant trees including 40 percent 1-inch caliper and 60 percent 2-inch caliper sizes, as approved by the Planning and Development Department. These trees shall be arranged in manner that maximizes the screening of uses from adjacent property lines, as approved by the Planning and Development Department.
5. The developer shall install a minimum of three inverted U-bicycle racks or artistic style racks, installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
6. The development shall be limited to one vehicular driveway along 32nd Street. This driveway shall incorporate sight visibility triangles of 10 feet by 20 feet in dimension located where the driveway intersects the adjacent street, as approved by the Planning and Development Department.
7. The developer shall provide traffic calming measures at the vehicular point of ingress and egress to slow vehicles departing the development and crossing the multi-use trail and public sidewalks, as approved by the Planning and Development Department.
8. The developer shall provide a clearly defined, accessible pathway constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisles surfaces. This pathway shall connect all building entrances and exits to all public sidewalks utilizing the minimum possible distance and providing the most direct route.

9. Pedestrian paths on the subject site shall be shaded to a minimum 75 percent by a combination of tree and architectural shade, as approved by the Planning and Development Department.
10. The developer shall dedicate a 25-foot-wide multi-use trail easement (MUTE) along the west side of 32nd Street that gradually tapers to 20 feet to meet the existing 20-foot-wide MUTE south of the property. The width of the MUTE can be reduced where conflicts exist with existing walls, existing structures or utilities, but shall at no point be less than 18 feet in width. The developer shall construct a minimum 10-foot wide multi-use trail (MUT) within the MUTE in accordance with the MAG supplemental detail indicated in Section 429 or as otherwise approved by the Parks and Recreation Department and/or the Planning and Development Department.
11. The developer shall dedicate 7 feet of right-of-way for a total of 40 feet along 32nd Street, as approved by the Street Transportation Department.
12. Streetscape landscaping between the sidewalk and curb shall be replenished with drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage, as approved by the Planning and Development Department.
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. The developer shall record a Notice of 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 of the property. The form and contents of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
15. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for all development required by the FAA to file this form, and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure, as required by the FAA, a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
16. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
17. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
18. 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.

19. Prior to the issuance of a permit for change of occupancy for the existing building to a CP/GCP use and/or building permits for any new buildings and/or additions, all of the stipulated improvements listed above shall be completed, as approved by the Planning and Development Department.
20. 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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