

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION April 4, 2024

ITEM NO: 11	
	DISTRICT NO.: 8
SUBJECT: 11	
Application #:	Z-103-23-8
Location:	Approximately 355 feet east and 340 feet south of the southeast corner of 19th Avenue and Buckeye Road
From:	R-4 CCSIO
To:	C-3 CCSIO
Acreage:	1.01
Proposal:	Parking ancillary to office and mechanic shop
Applicant:	Michelle Green, Lazarus & Silvyn, P.C.
Owner:	Del Norte, LLC and Dealers Auto Auction of the Southwest, LLC
Representative:	Larry Lazarus, Lazarus & Silvyn, P.C.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Central City 3/11/2024 Approval, per the staff recommendation. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Central City Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-103-23-8, per the Central City Village Planning Committee recommendation.

Maker: Boyd
Second: Perez
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposed rezoning will allow the continuation of the existing commercial use on the subject site.
3. As stipulated, the proposal will provide enhanced shade and bicycle parking amenities upon any future redevelopment.

Stipulations:

1. Upon site plan approval and permit issuance for any new building(s) or structure(s) on the site, the following shall apply:
 - a. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
 - b. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
 - c. A minimum of 10 percent of the required parking shall be EV Ready.
 - d. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
2. The site is located within a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2215 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. Prior to issuance of a grading and drainage permit or prior to site plan approval and permit issuance for any new building(s) or structure(s) on the site, the following requirements shall apply:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.
 - c. FEMA approved CLOMR-F or CLOMR is required prior to issuance of a Grading and Drainage permit.
3. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.
4. 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.

5. If Phase I data testing is required, and if, upon review of the results from the 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.
6. 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.
7. Prior to final 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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