

## Attachment D- Planning Commission Summary

### REPORT OF PLANNING COMMISSION ACTION December 6, 2018

ITEM NO: 5	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-59-18-8
Location:	Approximately 615 feet north of the northwest corner of 25th Street and Baseline Road
From:	R1-14 BAOD
To:	C-1 BAOD
Acreage:	0.82
Proposal:	Commercial
Applicant:	Dennis M. Newcombe, Beus Gilbert, PLLC
Owner:	Vahik Sahakian
Representative:	Paul E. Gilbert, Beus Gilbert, PLLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**South Mountain** 11/13/2018 Approval, per the staff recommendation. Vote: 11-3 (1 abstention).

Planning Commission Recommendation: Approval, as recommended by the South Mountain Village Planning Committee, with an additional stipulation as read into the record.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-59-18-8, as recommended by the South Mountain Village Planning Committee, with an additional stipulation as read into the record.

Maker: Shank  
Second: Montalvo  
Vote: 7-0  
Absent: Glenn, Heck  
Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial.
2. As stipulated, the proposal is consistent with the desired character and goals of the Baseline Area Master Plan.

3. As stipulated, the proposal is consistent with the character of existing development in the surrounding area.

Stipulations:

1. The development shall be in general conformance with the conceptual site plan date stamped August 21, 2018, as may be modified for compliance with the canal bank design guidelines in Section 507 Tab A of the Zoning Ordinance, and approved by the Planning and Development Department, and with specific regard to the following:
  - a. Pedestrian pathway to provide open public access to amenities on the adjacent property to the east to be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles.
  - b. Vehicular cross access to adjacent properties to the east and south, as approved by the Planning and Development Department.
2. Landscaping along the north property line shall be in conformance with the Baseline Area Master Plan Plant List with specific regard to maximizing shade and thermal comfort for pedestrians and active users along the canal, as approved by the Planning and Development Department.
3. If the subject site develops as a stand-alone parcel and does not provide an alternative street frontage to that existing along 25th Street, then the developer shall be responsible for the dedication and construction of an offset cul-de-sac bulb at the northern portion of 25th Street, south of the Western Canal, as approved by the Planning and Development and Street Transportation Department.
4. Any solid portion of a perimeter wall adjacent to the Western Canal shall not exceed a maximum height of three feet, as approved by the Planning and Development Department.
5. 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.
6. The property owner shall record documents that disclose the existence and operational characteristics of Sky Harbor International Airport (PHX) 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.
7. 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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