

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION June 2, 2022

ITEM NO: 15	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-14-22-1
Location:	Northeast corner of Black Canyon Highway and Adobe Drive
From:	A-1 DVAO and C-2 DVAO
To:	A-1 DVAO
Acreage:	9.35
Proposal:	Industrial development
Applicant:	Baker Development Company
Owner:	BDC Adobe, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:  
**Deer Valley** 5/12/2022 No quorum.

Planning Commission Recommendation: Approval, per staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-14-22-1, per the staff recommendation.

Maker: Perez  
Second: Simon  
Vote: 7-0  
Absent: Howard and Johnson  
Opposition Present: Yes (possibly in error)

#### **Findings:**

1. The proposed land use is in conformance with the Industrial designation of the General Plan Land Use Map.
2. The subject site is located adjacent to industrial land uses. The proposed development, as stipulated will complement the surrounding area.
3. The proposed zoning is consistent with the goals and policies of the Deer Valley Airport Overlay and will provide additional employment opportunities in the village.

#### **Stipulations:**

1. An average 30-foot-wide landscape setback shall be provided along the I-17 frontage road, as approved by the Planning and Development Department.

2. A minimum 20-foot-wide landscape setback shall be provided along Adobe Drive, as approved by the Planning and Development Department.
3. All landscape improvements shall be installed with the first phase of development.
4. The required landscape setbacks shall be planted with minimum 50% 2-inch caliper and 50% 3-inch caliper size trees and with five 5-gallon shrubs per tree, as approved by Planning and Development Department.
5. All uncovered employee and customer surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees and five 5-gallon shrubs per tree. Landscaping shall be dispersed throughout the parking areas and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. Two outdoor employee resting areas of no less than 400 square feet shall be provided on site. One area shall be located along the north portion of the site and one on the south portion of the site. The employee resting areas shall not be located within loading and truck maneuvering areas. Each required resting area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75% using minimum 2-inch caliper size, large canopy drought-tolerant shade trees and/or architectural shade, as approved by the Planning and Development Department.
8. The following bicycle infrastructure shall be provided and maintained, as described below and as approved by the Planning and Development Department.
  - a. A minimum of 10 bicycle parking spaces shall be provided through Inverted U, artistic racks, and/or within a secure bicycle storage area. The racks shall be located near a primary building entrance or in the central amenity area and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.
  - b. A bicycle repair station (fix-it station) shall be provided as an employee amenity on site. The station shall include but is not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
9. The west building elevation, visible from the I-17 frontage road that exceeds 100-feet in length shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies, as approved by the Planning and Development Department.
10. The sidewalk along the I-17 frontage road shall be a minimum of 5 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and the back of curb, planted to the following standards, as approved or modified by the Planning and Development Department and the Arizona Department of Transportation.

- a. Minimum 2-inch caliper drought-tolerant shade trees that provide sidewalk shade to a minimum of 75% at maturity.
- b. Drought tolerant vegetation to achieve 75% live coverage at maturity.

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

- 11. The sidewalk along Adobe Drive shall be a minimum of 5 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved or modified by the Planning and Development Department.

- a. Minimum 2-inch caliper drought-tolerant shade trees that provide sidewalk shade to a minimum of 75% at maturity.
- b. Drought tolerant vegetation to achieve 75% live coverage at maturity.

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

- 12. 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.

- 13. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or require relocation as part of the project. The developer shall coordinate with affected utility companies for review and permitting.

- 14. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AH, on panel 1280M of the Flood Insurance Rate Maps (FIRM) dated September 18, 2020. The following requirements shall apply, as approved by the Planning and Development Department:

- 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 shall to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
- c. Elevation Certificate (FEMA Form 086-0-33) based on construction plans must be received and approved by Floodplain Management prior to issuance of Grading & Drainage permit. In Zone A, a base flood elevation determination letter (sample letter is provided by Floodplain Management upon request) and exhibit will also be required prior to issuance of Grading & Drainage permit.

- d. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit. CLOMR-F and CLOMR also requires the following compliance with Section 7 & 9 of the Endangered Species Act (ESA).
- 15. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 16. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
- 17. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
- 18. 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.
- 19. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- 20. 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 construction permit approval, as per plans approved by the Planning and Development Department.
- 21. 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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