

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION December 3, 2020

ITEM NO: 11	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-39-20-7
Location:	Approximately 280 feet south of the southwest corner of 91st Avenue and the Durango Street alignment
From:	S-1 (Approved C-2 SP)
To:	CP/GCP
Acreage:	4.23
Proposal:	Commerce park uses
Applicant:	Jack Gilmore
Owner:	Durango Farms, LLC
Representative:	Jack Gilmore

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Estrella** 11/17/2020 Approval, per the staff recommendation with a modified stipulation.  
Vote: 7-0.

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

Motion Discussion: N/A.

Motion details: Commissioner Shank made a MOTION to approve Z-39-20-7, per the Estrella Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Shank  
Second: McCabe  
Vote: 8-1 (Busching)  
Absent: None  
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 is consistent with the scale and character of developments approved or existing in the surrounding area while also promoting increased employment in the area.

Stipulations:

1. A minimum 50-foot building setback shall be provided along the east property line.
2. A minimum 50-foot landscape setback shall be provided along the east property line.
3. The landscape setback along 91st Avenue shall be planted with minimum 2-inch caliper size trees, 5 gallon shrubs per tree, and conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards for arterial streets in the Estrella Village, as approved by the Planning and Development Department.
4. One employee resting area of no less than 300 square feet in area or two employee resting areas of 150 square feet in area each shall be provided on site if this site remains a standalone parcel. If the subject site is combined with the adjacent parcel to the north, then the employee resting area (s) may be located on the adjacent parcel, as approved by the Planning and Development Department. This area shall include a minimum of two pedestrian seating benches, constructed of quality and durable materials, and shaded to a minimum of 75 percent, as approved by the Planning and Development Department.
5. All perimeter walls visible from street right-of-way shall include 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.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
7. Pedestrian walkways shall be shaded to a minimum of 75 percent using large canopy drought tolerant shade trees of minimum 2-inch caliper size at maturity and/or architectural shade, as approved by the Planning and Development Department.
8. All sidewalks along 91st Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- a. Minimum 2-inch caliper drought tolerant large canopy, single trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings to provide shade to a minimum 75 percent.
  - b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.
  - c. The landscape palette and planting standards, unless otherwise provided herein, shall conform with the Estrella Village Arterial Street Landscaping Program requirements for arterial streets.
9. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, and the employee resting area (s), using the most direct route for pedestrians, as approved by the Planning and Development Department.
10. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
11. "Outdoor/Open Facilities", inverted U-racks or artistic style bicycle racks shall be provided at a rate of one bicycle space per 25 vehicular parking spaces, located near the main building entrance used by customers or employees. All bicycle racks shall adhere to Appendix K of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.
12. The developer shall dedicate 55 feet of right-of-way for the west side on 91st Avenue for the full property frontage. Additional right-of-way shall be dedicated such that all constructed roadway and sidewalk is included within the dedication. A sidewalk easement may be accepted in lieu of right-of-way for sidewalks, as approved by the Planning and Development Department. All constructed sidewalk must be included within a sidewalk easement.
13. The developer shall construct a landscaped median island along 91st Avenue for the full property frontage, or as modified for access locations approved by the Street Transportation Department.
14. The developer shall construct the west half of 91st Avenue to the ultimate width of 74 feet of paving along with curb, gutter, and sidewalk for the full property frontage, including pavement transition tapers between ultimate improvements and the existing roadway, as approved by the Planning and Development Department.
15. The development shall obtain approval from the Street Transportation Department for any full access driveway. All driveway locations are assumed to be restricted to right-in/right-out access by either median or driveway design, or as approved by the Street Transportation Department.
16. Existing irrigation facilities along 91st Avenue shall be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations

that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.

17. 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.
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 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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