

Attachment C- Addendum A to Staff Report



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

ADDENDUM A

Staff Report Z-78-B-88-1

July 30, 2018

Deer Valley [Village Planning Committee](#) July 19, 2018

Meeting Date

[Planning Commission](#) Hearing Date August 2, 2018

Request From:

[C-2 PCD](#) (22.22 acres)

[C-2 SP PCD](#) (0.03 acres)

Request To:

[C-2 SP PCD](#) (22.25 acres)

Proposed Use

Massage establishment and all underlying C-2 uses

Location

Northeast corner of 39th Avenue and Happy Valley Road

Owner

J&R Holdings XII, LLC (lease) / Arizona State Land Department

Applicant/ Representative

Stephen C. Earl; Earl, Curley & Lagarde

Staff Recommendation

Approval, subject to stipulations

The request is for a PCD amendment to allow for a Special Permit for a massage establishment and all underlying C-2 uses. There is an error in the staff report that states the site is not in an archeologically sensitive area. The site is located in an archeologically sensitive area. Staff is recommending revised stipulations to address archeological requirements.

Staff recommends the following regarding the additional stipulations:

Revised Stipulations

1. All stipulations from rezoning case nos. Z-131-05 and Z-78-88 shall apply unless otherwise modified below, as approved by the Planning and Development Department.
2. No more than 5,000 square feet shall be used for massage establishments, as approved by the Planning and Development Department.
3. 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.

4. 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.
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~~
5. 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.
6. 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.
7. 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.

Exhibits

Sketch Map

Aerial Map