

Attachment D

REPORT OF PLANNING COMMISSION ACTION March 7, 2019

ITEM NO: 14	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-88-18-8
Location:	Approximately 120 feet east of the northeast corner of 11th Street and Washington Street
From:	C-1 HP TOD-1
To:	WU Code T5:2 EG HP
Acreage:	0.42
Proposal:	Restaurant/Bar
Applicant:	Jennifer Herbert
Owner:	Laara Van Loben Sels
Representative:	Jennifer Herbert

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Central City 2/11/2019 Approval, per the staff recommendation. Vote: 13-3.

Planning Commission Recommendation: Approval, per the Central City Village Planning Committee recommendation, with an additional stipulation as read into the record.

Motion Discussion: N/A

Motion details: Commissioner Heck made a MOTION to approve Z-88-18-8, per the Central City Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Heck
Second: Mangum
Vote: 7-0
Absent: Shank, Gorraiz
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial.
2. The proposed development is within the Eastlake-Garfield TOD District, is near the light rail corridor, and is compatible for the vision of this parcel and area.
3. The proposal to adaptively reuse the existing historically designated building for

the restaurant/bar use is consistent with the Land Use Section of the Eastlake-Garfield TOD District Policy Plan.

Stipulations:

1. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
2. 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.
3. 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.
4. 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. 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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