

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 8	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-SP-4-21-3
Location:	Southwest corner of 20th Street and Bell Road
From:	C-2
To:	C-2 SP
Acreage:	4.83
Proposal:	Auto sales with underlying C-2 uses.
Applicant:	David Doherty, CJ Auto, Inc.
Owner:	20th St & Bell Multi-Family, LLC
Representative:	William F. Allison, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Paradise Valley** 11/1/2021 Approval, per the staff recommendation, with an additional stipulation. Vote: 15-0.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-SP-4-21-3, per Paradise Valley Village Planning Committee recommendation.

Maker: Howard  
Second: McCabe  
Vote: 8-0  
Absent: Johnson  
Opposition Present: No

#### **Findings:**

1. The development is consistent with the Phoenix General Plan Land Use Map designation of Commercial.
2. The proposal is compatible with the surrounding land uses and appropriately located near other auto-oriented uses.
3. The proposal, as stipulated, will provide a transition from an arterial street to the adjacent residential land use by applying enhanced landscaped buffers and enhanced plantings along the southern and northern boundaries of the site.

Stipulations:

1. The southern landscape setback shall be planted with 2-inch caliper, large canopy shade trees planted 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department.
2. All public sidewalks shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section (Cross Section A on Bell Road) 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 with a pedestrian environment.
  - a. Minimum 2-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
  - b. Drought tolerant shrubs and vegetative groundcovers maintained at a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. All uncovered surface parking areas used by customers and employees must be landscaped with minimum 2-inch caliper shade trees. Landscaping must be dispersed throughout the parking area and achieve 15 percent shade at maturity, as approved by Planning and Development Department.
4. The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. The developer shall provide 4 bicycle parking spaces on site or on the site to the west near building entrances. The bicycle parking spaces shall be shaded to 50 percent, as approved by the Planning and Development Department.
  - b. Upon construction of Phase 2, a bicycle repair station ("fix it station") shall be provided on the site in close proximity to 20th Street. The station shall include but 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, as approved by the Planning and Development Department.
5. The developer shall dedicate 5 feet of right-of-way for the south half of Bell Road, as approved by the Planning and Development Department.
6. The developer shall dedicate a 15-foot-wide sidewalk easement for the south half of Bell Road, as approved by the Planning and Development Departments.
7. 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.
8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department. Any cross-

access agreements shall include a pedestrian pathway, as approved by the Planning and Development Department.

9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. 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.
11. 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.
12. 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.
13. **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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