

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION December 5, 2024

ITEM NO: 4	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-69-24-7
Location:	Approximately 1,440 feet west of the southwest corner of 51st Avenue and Broadway Road
From:	County RU-43 (Pending S-1)
To:	A-1
Acreage:	3.66
Proposal:	Retention for adjacent A-1 and CP/GCP uses
Applicant:	Fisher Sand and Gravel Company
Owner:	Fisher Sand and Gravel Company
Representative:	Adam Baugh, Withey Morris Baugh, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Estrella 11/19/2024 No quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Hu made a MOTION to approve Z-69-24-7, per the staff recommendation.

Maker: Hu
Second: James
Vote: 8-0
Absent: Gorraiz
Opposition Present: No

Findings:

1. The proposal is compatible with the surrounding land uses to the east, serving as retention for the proposed development.
2. As stipulated, the site will include enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The proposal will provide increased shade which will help to reduce the urban heat island effect.
3. As stipulated, the proposed development will promote the vision of various policy plans including the Tree and Shade Master Plan, Estrella Village Area Plan and Estrella Village Arterial Street Landscaping Program.

Stipulations:

1. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape pallet and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
2. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized on site, as approved or modified by the Planning and Development Department.
3. The required landscape setback shall be planted with minimum 2-inch caliper, large canopy, drought tolerant shade trees planted 20 feet on center, or in equivalent groupings, and shrubs, accents, and vegetative groundcovers, as approved by the Planning and Development Department.
4. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
5. Landscaping within the required landscape setback shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
6. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
7. A minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip between the curb and sidewalk shall be provided along the south side of Broadway Road, planted to the following standards and as approved by the Maricopa County Department of Transportation.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings, to provide a minimum of 75% shade.
 - b. Shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to provide a minimum of 75% live coverage.

Where utilities conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

8. A minimum 55 feet of right-of-way shall be constructed for the south half of Broadway Road to an Arterial CM cross-section, adjacent to the development, or as otherwise approved by the Maricopa County Department of Transportation. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
9. All streets within and adjacent to the development shall be constructed 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.

10. This parcel is in a Special Flood Hazard Area (SFHA) called Zone AE, on panel 2195L of the Flood Insurance Rate Maps (FIRM) dated September 21, 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 needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.
 - c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
11. 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.
12. 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.
13. 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.
14. Prior to final 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

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