

Attachment D

REPORT OF PLANNING COMMISSION ACTION August 6, 2020

ITEM NO: 9	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-10-20-1 (Companion Case Z-SP-1-20-1)
Location:	Approximately 325 feet north of the northeast corner of 21st Avenue and Bell Road
From:	R-5
To:	C-2
Acreage:	2.15
Proposal:	C-2 Commercial uses
Applicant:	Withey Morris, PLC / William F. Allison
Owner:	Howard A. Keyes Trust / Kevin Hochman
Representative:	Withey Morris, PLC / William F. Allison

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 6/18/2020 Approval, per the staff recommendation. Vote: 9-0.

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

Motion Discussion: N/A.

Motion details: Commissioner Shank made a MOTION to approve Z-10-20-1, per the Deer Valley Village Planning Committee recommendation with an additional stipulation as read into the record.

Maker: Shank
Second: Montalvo
Vote: 7-0
Absent: Gorraiz, Howard
Opposition Present: No

Findings:

1. The development is consistent with the Phoenix General Plan Land Use Map designation of Commercial.
2. The development, as stipulated, is appropriate at this location due to the orientation of the building being directed away from abutting residential uses.

3. The development, as stipulated, advances the purpose and intent of several core values from the Phoenix General Plan including policy documents such as the Tree and Shade Master Plan and the Complete Streets Guidelines. Further, the development, as stipulated, will be compatible with the adjacent land uses by applying enhanced landscaped buffers and enhanced plantings along to north and west boundaries of the site.

Stipulations:

1. All building elevations shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size and location, or overhang canopies, as approved by the Planning and Development Department.
2. The developer shall provide a minimum 10-foot landscape setback along the northern site boundary where adjacent to residential zoning. The landscape setback shall be planted with two rows of minimum 60 percent 2-inch caliper trees and minimum 40 percent 3-inch caliper trees planted 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department.
3. All sidewalks shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb 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 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
4. All uncovered surface parking lot areas for customer parking and employee parking, as noted on the site plan date stamped May 19, 2020 shall be landscaped with minimum 2-inch caliper shade trees. Landscaping shall be dispersed throughout the parking area and achieve 35 percent shade at maturity, as approved by Planning and Development Department.
5. A minimum of two inverted-U bicycle racks for guests or employees shall be provided on site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
6. Right-of-way totaling 40 feet shall be dedicated for the east half of 21st Avenue, as approved by the Planning and Development Department.

7. Right-of-way totaling 6 feet shall be dedicated for the south half of the alley along the northern property line, east of 21st Avenue, as approved by the Planning and Development Department.
8. 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.
9. 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.
10. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property as approved by the Aviation Department.
11. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.
12. 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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