

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION September 7, 2023

ITEM NO: 15	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-27-23-1
Location:	Southwest corner of 19th Avenue and Quail Avenue
From:	Ind. Pk. DVAO
To:	C-3 DVAO
Acreage:	7.91
Proposal:	Electric vehicle sales and repair
Applicant:	Aztec 19th Ave., LLC
Owner:	Aztec 19th Ave., LLC
Representative:	William E. Lally, Tiffany & Bosco, PA

#### **ACTIONS:**

Staff Recommendation: Approval, per the staff recommendation with modifications.

Village Planning Committee (VPC) Recommendation:

**Deer Valley** 8/10/2023 Approval, per the staff recommendation with deleted stipulations.  
Vote: 11-1.

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

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-27-23-1, per the Deer Valley Village Planning Committee recommendation.

Maker: Busching  
Second: Vice Chairman Gaynor  
Vote: 6-0  
Absent: Mangum, Perez, Simon  
Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the character of the surrounding area and several General Plan principles.
2. The proposal provides an employment generating commercial use within the Deer Valley Major Employment Center.
3. The proposed zoning is consistent with the goals and policies of the Deer Valley Airport Overlay and will provide additional employment opportunities in the village.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped May 4, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
4. All nonresidential uses over 5,000 square feet floor area shall provide one bicycle parking space per 25 vehicle parking spaces, with a maximum of 25 spaces. Bicycle parking shall be provided through Inverted U and/or artistic racks located near the front office and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
- ~~5. The existing northernmost access point on 19th Avenue shall be removed.~~
- ~~6. A Traffic Impact Study shall be submitted. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Study shall include an analysis of the existing and proposed driveways turning movements and potential conflicts with opposing driveways along 19th Avenue. Once approved, the development shall comply with the findings of the Traffic Impact Study regarding access control, as approved by the Street Transportation Department.~~
- ~~7. Existing streetscape beginning at back of curb shall be replenished with the approved landscaping and ground cover along 19th Avenue and Quail Avenue, as approved by the Planning and Development Department.~~
- ~~8. 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.~~
- ~~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. 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.~~
8. 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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