

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 13	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-21-23-1
Location:	Approximately 325 feet north of the northwest corner of Black Canyon Highway and Deer Valley Road
From:	C-1 DVAO and C-2 HGT/WVR DVAO
To:	A-1 DVAO
Acreage:	5.63
Proposal:	Office and warehouse
Applicant:	Berry Riddell, LLC
Owner:	Rockwell Baker Industrial Center, LLC
Representative:	Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:  
**Deer Valley 6/8/2023** No Quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-21-23-1, per the staff recommendation.

Maker: Busching  
Second: Jaramillo  
Vote: 8-0  
Absent: Mangum  
Opposition Present: No

#### **Findings:**

1. The proposal provides for infill development on an underutilized parcel.
2. The proposal provides a diversity of industrial uses along the I-17 Black Canyon Freeway corridor.
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. An average 9-foot (minimum 5-foot) wide landscape setback shall be provided along the north perimeter of the site (Louise Drive), as approved by the Planning and Development Department.

2. An average 9-foot (minimum 5-foot) wide landscape setback shall be provided along the west perimeter of the site (26th Avenue), as approved by the Planning and Development Department.
3. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance 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.
4. A minimum of 10% of the required parking spaces shall be EV Ready.
5. 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.
6. Right-of-way totaling 30 feet shall be dedicated for the east half of 26th Avenue, as approved by the Planning and Development Department.
7. Right-of-way totaling 30 feet for the south half of Louise Drive with a half 50-foot radius cul-de-sac shall be dedicated at its termination, as approved by the Planning and Development Department.
8. An 18-foot x 18-foot right-of-way triangle shall be dedicated at the southeast corner of 26th Avenue and Louise Drive, as approved by the Planning and Development Department.
9. A sidewalk easement shall be dedicated on the east side of 26th Avenue and south side of Louise Drive, as approved by the Planning and Development Department.
10. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb with minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings and sidewalk shall be constructed along 26th Avenue and Louise Drive, as approved by the Planning and Development Department.

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

11. 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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