

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION November 4, 2021

ITEM NO: 19	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-43-21-6
Location:	Southwest corner of 40th Place and Indian School Road
From:	R1-6 and R-5
To:	R-O
Acreage:	0.70
Proposal:	Professional Office
Applicant:	Christopher Alt, Studio Ma, Inc.
Owner:	Christopher Alt and Christiana Moss
Representative:	Christopher Alt, Studio Ma, Inc.

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 10/5/2021 Approval, per the staff recommendation. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Camelback East Village Planning Committee, with additional stipulations.

Motion Discussion: There was discussion about adding a stipulation to require “no parking” or “permit parking only” signs along 40th Place.

Motion details: Commissioner Howard made a MOTION to approve Z-43-21-6, per the Camelback East Village Planning Committee recommendation with the additional stipulations as read into the record.

Maker: Howard  
Second: Johnson  
Vote: 7-0  
Absent: Gorraiz and Howard  
Opposition Present: Yes

#### **Findings:**

1. The proposal will provide an appropriate transition between a major arterial street and an established single-family neighborhood.
2. The proposal will provide an opportunity for an existing small business located on a major arterial street to expand in the Camelback East area and serve the surrounding neighborhood.
3. The proposal is compatible in scale and character with the surrounding neighborhood and will provide an appropriate land use transition from the commercial uses along Indian School Road.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped June 25, 2021, with specific regard to the following and as approved by the Planning and Development Department.
  - a. That there be a maximum building height of one story and 15 feet.
2. There shall be no vehicular access from 40th Place.
3. The required landscape setback along 40th Place shall include large canopy shade trees 20 feet on center or in equivalent groupings as approved by the Planning and Development Department. Twenty-five percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper. Five, five-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at maturity, as approved by the Planning and Development Department.
4. The required landscape setback along the southern portion of the site shall be planted with minimum 2-inch caliper shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. All uncovered surface parking lot areas located within the southern 65 feet of the site shall be landscaped with a minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved or modified by Planning and Development Department.
6. There shall be no internally lit signs on the site. Signage shall be approved by the Planning and Development Department.
7. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances 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.
8. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances and public sidewalks, using the most direct route for pedestrians, 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 construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
11. 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.

- 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.**
- 13. THE DEVELOPER SHALL WORK WITH THE NEIGHBORS AND THE STREET TRANSPORTATION DEPARTMENT TO EITHER INSTALL NO PARKING SIGNS OR PERMIT PARKING ONLY SIGNS ALONG 40TH PLACE.**

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