

Attachment C- Planning Commission Summary

REPORT OF PLANNING COMMISSION ACTION August 02, 2018

ITEM NO: 13	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-26-18-3
Location:	Approximately 450 feet west of the northwest corner of Tatum Boulevard and Shea Boulevard
Request:	From: C-O To: C-2 Acreage: 4.90
Proposal:	Retail Center
Applicant:	Stephen C. Earl; Earl, Curley & Lagarde, PC
Owner:	Paradise Corporate & Medical Plaza, LLC
Representative:	Stephen C. Earl; Earl, Curley & Lagarde, PC

ACTIONS:

Staff Recommendation: Denial as filed and approve C-1, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 6/4/2018 Denial as filed and approval of C-1, per staff recommendation with an additional stipulation. Vote: 13-0.

Planning Commission Recommendation: Denial as filed and approval of C-1, as recommended by the Paradise Valley Village Planning Committee with an additional stipulation as read into the record.

Motion Discussion: N/A

Motion details – Commissioner Glenn made a MOTION to deny Z-26-18-3 as filed and approve C-1, as recommended by the Paradise Valley Village Planning Committee with an additional stipulation as read into the record.

Maker: Glenn
Second: Montalvo
Vote: 5-0
Absent: Johnson, Wininger, Katsenes
Opposition Present: Yes

Findings:

1. The proposal is consistent with the Commercial General Plan Land Use designation.
2. As stipulated, the proposal is compatible with the surrounding land uses.
3. The development is consistent with elements of both Tree and Shade Master Plan and the

Guiding Principles of Complete Streets.

Stipulations:

1. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATION DATE STAMPED APRIL 9, 2018, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- ~~4.2.~~ Minimum 2-inch caliper trees, placed 20-feet on center, or in equivalent groupings, shall be planted in a minimum 14-foot setback along the northern property line to provide screening for adjacent residences, as approved by the Planning and Development Department. When possible, the developer should use existing trees to meet this landscaping requirement.
- ~~2.3.~~ All required trees in the Shea Boulevard landscape setback shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians, as approved by the Planning and Development Department.
- ~~3.4.~~ A minimum of 75% of the sidewalk along Shea Boulevard shall be shaded at maturity, as approved by the Planning and Development Department.
- ~~4.5.~~ The sidewalk along Shea Boulevard shall remain detached. The existing landscaped strip located between the sidewalk and back of curb shall be planted to provide a minimum of 50% live ground cover, as approved by the Planning and Development Department.
- ~~5.6.~~ A minimum of 50% shade shall be provided, through a combination of landscaping and/or overhangs and canopies that integrate into the building design, along pedestrian thoroughfares, as approved by the Planning and Development Department.
- ~~6.7.~~ A minimum of one inverted-U bicycle rack shall be provided and located near the entrance to each building and installed per the requirements of Section 1307.H.4. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- ~~7.8.~~ No drive-through facility shall locate its drive-through window facing a residential use or Shea Boulevard, as approved by the Planning and Development Department.
- ~~8.9.~~ Drive-throughs shall be screened from view of residential uses and Shea Boulevard with a landscaped berm, or a combination of a wall and landscaped berm at least 3 feet in height, as approved by the Planning and Development Department.
- ~~9.10.~~ The developer shall provide a recorded cross access and common driveway agreement for parcels 167-73-027, 167-73-028, 167-73-029A, 167-73-030A and 167-73-034A, to allow the proposed uses to function as a commercial center. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
- ~~40.11.~~ The proposed traffic signal shall only be installed when warrants and conditions are met, as approved by the Street Transportation Department and at no cost to the City.

- 44.12. 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.
- 42.13. In the event archeological 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.
- 43.14. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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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