

Attachment D

REPORT OF PLANNING COMMISSION ACTION August 1, 2019

ITEM NO: 9	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-11-18-3
Location:	Approximately 228 feet north of the northwest corner of Tatum Boulevard and Shea Boulevard
From:	C-1
To:	C-2
Acreage:	2.22
Proposal:	Intermediate commercial uses
Applicant:	Ambassador Fine Cigars
Owner:	3503 RP Phoenix, LLC
Representative:	Paul E. Gilbert, Beus Gilbert, PLLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 7/1/2019 Approval, per the staff recommendation. Vote: 10-3.

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

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-11-18-3, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Howard
Second: Mangum
Vote: 8-0
Absent: Johnson
Opposition Present: No

Findings:

1. The proposal is consistent with the Commercial General Plan Land Use Map designation.
2. The proposal is compatible with the surrounding land uses.
3. The development, as stipulated, will provide shade and enhanced pedestrian amenities.

Stipulations:

1. Prior to permit issuance of any tenant improvements, the developer shall update the existing landscape areas along the Tatum Boulevard frontage per the C-2 streetscape landscape standards for planting type, size and quantity, unless underground utilities and/or drainage are found to conflict subject to the following requirements, as approved by the Planning and Development Department.
 - a. All required trees in the Tatum Boulevard landscape setback shall be planted adjacent to the sidewalk to provide shade/thermal comfort for pedestrians.
 - b. The sidewalk along Tatum Boulevard shall remain detached and the existing landscaped strip located between the sidewalk and the back of curb shall be planted to provide a minimum of 50% live ground cover.
2. 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.
3. 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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