

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION June 4, 2020

ITEM NO: 12	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-61-19-2 (Embrey Kierland North PUD)
Location:	Approximately 350 feet north of the northwest corner of Scottsdale Road and Tierra Buena Lane
From:	C-2 PCD
To:	PUD
Acreage:	2.41
Proposal:	Planned Unit Development to allow multifamily residential and commercial uses
Applicant:	Jimmy McCloskey
Owner:	Bridge Enterprises, LLC
Representative:	Nick Wood, Esq. - Snell & Wilmer, LLP

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Paradise Valley** 3/2/2020 Information Only.

**Paradise Valley** 6/1/2020 Denial. Vote: 8-5.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-61-19-2, per the staff recommendation.

Maker: Shank  
Second: Mangum  
Vote: 9-0  
Absent: None  
Opposition Present: Yes

#### **Findings:**

1. The proposed development is in conformance with several General Plan goals and policies that will result more housing choices within an employment center.
2. The proposed development is compatible with the existing land use pattern in the area and is designed to enhance a walkable environment along Scottsdale Road where there are other multifamily developments nearby and bike lanes to encourage an active frontage.

3. The development will provide additional housing opportunities in the area.

Stipulations:

1. An updated Development Narrative for the Embrey Kierland PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped May 6, 2020, as modified by the following stipulations:
  - a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:  
1st Submittal: November 12, 2019  
2nd Submittal: February 14, 2020  
Hearing Draft: May 6, 2020  
City Council adopted: TBD
2. 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.
3. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
4. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
5. The developer shall provide documentation to the City of Phoenix prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
6. 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.

7. 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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