

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION March 7, 2019

ITEM NO: 12	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-78-18-2
Location:	Approximately 100 feet north of the northwest corner of 7th Avenue and Anderson Drive
From:	R1-8
To:	R-2
Acreage:	0.95
Proposal:	Multifamily (townhomes)
Applicant:	MAI Developers, LLC
Owner:	MAI Developers, LLC
Representative:	Kenyon Architectural Studio

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Deer Valley** 2/21/2019 Approval, per the staff recommendation with an additional stipulation. Vote: 8-0.

Planning Commission Recommendation: Approval, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation as read into the record.

Motion Discussion: N/A

Motion details: Commissioner Heck made a MOTION to approve Z-78-18-2, per the Deer Valley Village Planning Committee recommendation, with an additional stipulation as read into the record.

Maker: Heck  
Second: Mangum  
Vote: 7-0  
Absent: Shank, Gorraiz  
Opposition Present: No

#### **Findings:**

1. The proposal as stipulated is compatible with surrounding uses.
2. The proposal will provide additional housing options within the Deer Valley Village.

Stipulations:

1. The development shall not exceed 9 units.
2. Perimeter fences or walls adjacent to the wash shall be view fencing. Any solid portion of the wall shall not exceed 4 feet in height, as approved by the Planning and Development Department.
3. Drought tolerant, 3-inch caliper trees 20 feet on center or in equivalent groupings shall be provided in the required landscape setback along 7th Avenue, as approved by the Planning and Development Department.
4. All dwelling units shall have covered porches, which face the front, and are a minimum of 60 square feet in area with a depth of at least 6 feet, as approved by the Planning and Development Department.
5. There shall be no second floor balconies adjacent to the southern property boundary, as approved by the Planning and Development Department.
6. The right-of-way shall be dedicated and a bus bay (per City of Phoenix Standard Detail #P1260) constructed at the intersection of 7th Avenue and project driveway (per City of Phoenix Standard Detail P1258), as approved by the Planning and Development Department.
7. 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.
8. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport 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.
9. The applicant, or its successor, shall prepare the appropriate FEMA documentation necessary to obtain a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR) at time of plan submittal as approved by the Planning and Development Department.
10. 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.
11. THE DEVELOPER SHALL INSTALL TWO ADDITIONAL FICUS NITIDA TREES IN THE SOUTH LANDSCAPE SETBACK ABUTTING THE SINGLE-FAMILY SUBDIVISION.
12. 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.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.