

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION March 2, 2023

ITEM NO: 8	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-56-22-4 (22nd & Indian School PUD)
Location:	Southwest corner of 22nd Street and Indian School Road
From:	R-3, R1-6, R1-6 (Approved R-2), and C-3
To:	PUD
Acreage:	5.66
Proposal:	Planned Unit Development to allow multifamily development and limited commercial uses.
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	DMS Ventures IS IV, LLC; DMS Ventures II, LLC; and DMS Ventures IS VI, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Camelback East** 12/6/2022 Information only.

**Camelback East** 2/7/2023 Approval, per the staff recommendation. Vote: 19-0.

Planning Commission Recommendation: Approval, per the Camelback Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Mangum made a MOTION to approve Z-56-22-4, per the Camelback Village Planning Committee recommendation.

Maker: Mangum  
Second: Gorraiz  
Vote: 8-0  
Absent: Simon  
Opposition Present: Yes

#### **Findings:**

1. The project site is appropriately located along an arterial street and is consistent with the General Plan Land Use Map designation.
2. The proposal will develop an underutilized site and provide additional housing options within the Village.
3. The proposed PUD sets forth design and development standards that will facilitate pedestrian-oriented design, promote a safer walking and bicycling environment, and is compatible with the surrounding neighborhood.

Stipulations:

1. An updated Development Narrative for the 22nd & Indian School 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 January 27, 2023, as modified by the following stipulations:
  - a. Front cover: Revise the date information on the cover page to the following:  
  
City Council Adopted: [Add Adoption Date]
  - b. Page 7, Lot Development Standards, Maximum Density: update to 56.5 du/gross ac
  - c. Page 8, Landscape Standards, Landscape Planting, North (Indian School Road), Landscape Strip: Update first sentence to read "Minimum 11-foot-wide Landscape Strip between back of curb and sidewalk."
2. The developer shall dedicate a 10-foot-wide sidewalk easement along the south side of Indian School Road, as approved by the Planning and Development Department.
3. The applicant shall submit a Traffic Impact Study to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
4. 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.
5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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
6. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
7. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
8. 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.

9. 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.

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