

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION

November 1, 2018

\* (Revised November 19, 2018)

ITEM NO: 9	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-54-18-7
Location:	Approximately 500 feet west of the northwest corner of 67th Avenue and Thomas Road
From:	PSC
To:	C-1
Acreage:	6.18
Proposal:	Multifamily residential
Applicant:	Shawn Kaffer, MAK Construction
Owner:	Star Property Holdings, LLC
Representative:	Shawn Kaffer, MAK Construction

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 10/10/2018 Approval, as recommended by staff. Vote: 8-1.

Planning Commission Recommendation: Approval, as recommended by the Maryvale Village Planning Committee with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Katsenes made a MOTION to approve Z-54-18-7, as recommended by the Maryvale Village Planning Committee with an additional stipulation as read into the record.

Maker: Katsenes

Second: Shank

Vote: 7-0

Absent: Mangum, Montalvo

Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation.
2. This proposal provides a new housing option to contribute to the mix of housing types in the area.
3. The proposed increased scale and intensity is supported in proximity to a planned Bus

Rapid Transit (BRT) route.

Stipulations:

1. The development shall be in general conformance with the site plan and conceptual landscape plan, date stamped August 10, 2018, as approved by the Planning and Development Department.
2. The sidewalks along Thomas Road shall be detached with a minimum five-foot wide landscape strip located between the sidewalk and back of curb and be planted with a minimum 2-inch caliper shade trees, as approved by the Planning and Development Department.
3. A minimum 25 percent of the amenity/open space shall be shaded using shade trees or structures, as approved by the Planning and Development Department.
4. The developer shall install a minimum of two inverted U-bicycle racks for guests, installed per the requirements of Section 1307.H.4 of the Zoning Ordinance, as approved by the Planning and Development Department.
5. 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.
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. The applicant shall conduct Phase II archaeological data recovery excavations 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.
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 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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