

Attachment D
REPORT OF PLANNING COMMISSION ACTION
 May 7, 2020

ITEM NO: 7	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-65-19-2
Location:	Northeast corner of 42nd Street and Peak View Road
From:	RE-35
To:	R1-10
Acreage:	7.67
Proposal:	Single-family residential
Applicant:	Michael S. Buschbacher II, Hunter Engineering Inc.
Owner:	Roger Malcolm
Representative:	Ron Homyak, Cachet Homes

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Desert View 3/3/2020 No quorum.

Desert View 5/5/2020 Approval, per staff recommendation with a modified stipulation.
 Vote: 7-2.

Planning Commission Recommendation: Approval, per the Desert View Village Planning Committee, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-65-19-2, per the Desert View Village Planning Committee, with the additional stipulation as read into the record.

Maker: Shank
 Second: Mangum
 Vote: 7-1 (Gorraiz)
 Absent: Montalvo
 Opposition Present: Yes

Findings:

1. The overall proposal is consistent with the General Plan Land Use Map and North Land Use Plan designations of Residential 0 to 2 and 2 to 5 dwelling units per acre. On the entire site, a maximum of 30 dwelling units is permitted. The proposal consists of 23 units, making it consistent with the density designations.

2. As stipulated, the proposal is compatible with the surrounding land uses in specific regard to scale and density and will act as an appropriate buffer between the commercial use to the west and the existing single-family residences in the neighborhood.
3. The development will include detached sidewalks and trees along 42nd Street and Peak View Road which will provide increased connectivity as well as promote pedestrian-oriented design in the area.

Stipulations:

1. The development shall be subject to Single-Family Design Review prior to final site plan approval, with the additional requirement that building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment, as approved by the Planning and Development Department.
2. Homes shall have a maximum height of one story and 20 feet on Lot Nos. 8, 9, 10, 11, 12, 13, 21, 22, and 23, as depicted on the Site Plan date stamped December 9, 2019, as approved or modified by the Planning and Development Department.
3. The development shall not exceed 23 residential lots.
4. The minimum residential lot width shall be 65 feet.
5. The minimum open space provided shall be 10 percent.
6. A pedestrian connection shall be provided from the northern internal street to the common open space area abutting Peak View Road.
7. A minimum 4,500-square-foot landscape setback shall be provided on the west side of 42nd Street, as approved by the Planning and Development Department.
8. The sidewalks along the north side of Peak View Road, the east side of 42nd Street, and the first 250 feet of the west side of 42nd Street shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb. Minimum 2-inch caliper shade trees shall be planted on both sides of the sidewalk at 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
9. On interior private accessways, shade trees shall be planted adjacent to sidewalks at a rate of a minimum of two, 2-inch caliper or greater shade tree provided at a spacing of 20 to 30 feet on center, depending on species, within the front yard of each residential lot and where sidewalks are adjacent to common area tracts, as approved by the Planning and Development Department.
10. All new perimeter walls where visible from Peak View Road shall include material and textural differences, such as stucco and/or split face block with a

- decorative element, such as tile, glass insets, or stamped designs, as approved by the Planning and Development Department.
11. The development entry shall incorporate decorative metal gates and signage as depicted on the Design Concept Plan date stamped January 31, 2020, as approved by the Planning and Development Department.
 12. A pedestrian crossing, constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, shall be provided across the main entry driveway, as approved by the Planning and Development Department.
 13. The developer shall dedicate 40 feet of right-of-way for the north half of Peak View Road, as approved by the Planning and Development Department.
 14. The developer shall provide 25 feet of paving, from the monument line to the face of curb on Peak View Road, as approved by the Planning and Development Department.
 15. The developer shall extend and develop 42nd Street in accordance with City Code and development requirements, if retained as a public street.
 16. 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
 17. 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.
 18. **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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