

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION January 4, 2024

ITEM NO: 15	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-61-23-2 (The Villas of Cave Creek Senior Living PUD)
Location:	Northwest corner of 53rd Street and Dynamite Boulevard
From:	R1-10
To:	PUD
Acreage:	4.35
Proposal:	Planned Unit Development (PUD) to allow senior housing.
Applicant:	Learsi Capital Group, LLC
Owner:	George F. Rivera Trust
Representative:	Heather Personne, Evolve Ventures, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Desert View** 10/3/2023 Information only.

**Desert View** 12/5/2023 No quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-61-23-2, per the staff recommendation.

Maker: Boyd  
Second: Perez  
Vote: 7-0  
Absent: Mangum  
Opposition Present: No

#### **Findings:**

1. The proposal is compatible with the character of the surrounding area.
2. The proposal will add to the mix of housing in the area, providing assisted living units, in a residential setting.
3. The proposed PUD sets forth design and development standards that will enhance connectivity in the immediate vicinity by providing shaded detached sidewalks and bicycle parking.

Stipulations:

1. An updated Development Narrative for The Villas of Cave Creek Senior Living 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 November 17, 2023, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date].
2. A total of 70 feet of right-of-way shall be dedicated for the north half of Dynamite Boulevard or as approved by Maricopa County.
3. All street improvements to Dynamite Boulevard and 53rd Street are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.
4. A total of 40 feet of right-of-way shall be dedicated for the east half of 52nd Street.
5. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. The site is located within a Special Flood Hazard Area (SFHA) called a Zone AE and Zone AE floodway on panel 1301M of the Flood Insurance Rate Maps (FIRM) revised July 20, 2021. The following requirements shall apply, as approved by the Planning and Development Department:
  - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but is not limited to, provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
  - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of the Office of the City Engineer for review and approval of Floodplain requirements.
  - c. FEMA approved CLOMR-F or CLOMR is required prior to issuance of a Grading and Drainage permit.
7. 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.
8. 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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