

## ATTACHMENT E

### REPORT OF PLANNING COMMISSION ACTION August 4, 2022

ITEM NO: 20	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-3-B-15-1 (Norterra PUD)
Location:	Northwest corner of 19th Avenue and Happy Valley Road
From:	PUD
To:	PUD
Acreage:	405.40
Proposal:	Major Amendment to Norterra Planned Unit Development to allow additional dwelling units and a parking reduction.
Applicant:	USAA Real Estate Company, et al.
Owner:	USAA Real Estate Company, et al.
Representative:	Bill Allison, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Deer Valley** 4/14/2022 Information only.

**Deer Valley** 7/14/2022 Approval, per the staff recommendation. Vote: 11-0.

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

Motion Discussion: Commissioner Busching verified with the applicant if he was amenable to adding a stipulation to limit the average annual interior noise level for the multifamily development to not exceed 45 decibels.

The applicant's representative agreed.

Motion details: Commissioner Gaynor made a MOTION to approve Z-3-B-15-1, per the Deer Valley Village Planning Committee recommendation with an additional stipulation as read into record.

Maker: Gaynor  
Second: Busching  
Vote: 7-1-1 (Perez) (Simon abstained)  
Absent: None  
Opposition Present: No

#### **Findings:**

1. The proposed development is consistent with the General Plan Land Use Map designation of Commerce / Business Park and Mixed Use (Commercial, Commerce /Business Park, Residential 5 to 10, 10 to 15, and 15+ dwelling units per acre).

2. The proposed development will provide additional housing options close to employers in a designated Major Employment Center.
3. The proposed changes to the Norterra PUD development narrative are consistent with previously approved standards and will allow for the orderly growth of the area.

Stipulations:

1. An updated Development Narrative for the Norterra 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 Development Narrative date stamped June 2, 2022.
  - a. Front Cover, add “City Council adopted: [Insert Adoption date]”
  - b. Page 39, Parking Section, modify the first sentence to read: The minimum number of required parking spaces shall be as set forth in Section 702 of the Phoenix Zoning Ordinance, minus 10%, except in Zones 1, 2 and 3 where a 25% parking reduction from Section 702 requirements shall be allowed and as modified by those standards in the sections below.
2. A Master Pedestrian Circulation Plan shall be completed prior to preliminary site plan approval. The Master Pedestrian Circulation Plan shall be generally consistent with the Conceptual Circulation Plan exhibit (Exhibit 8) within the Development Narrative date stamped June 2, 2022, as updated and amended as necessary.
3. The developer shall submit an updated Trip Generation Statement addressing the additional residential and commercial allowance in comparison to the existing approved Traffic Impact Study, prior to preliminary site plan approval. Any substantial changes may require an updated Traffic Impact Study to be approved, prior to preliminary site plan approval. The developer shall be responsible for all cost and construction identified in the study, as approved by the Street Transportation Department.
4. The property owner shall record documents that disclose the existence and operational characteristics of the Phoenix 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.
5. 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.
6. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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.

7. **PRIOR TO OCCUPANCY, THE DEVELOPER MUST PROVIDE A QUALIFIED ENGINEER'S REPORT CERTIFYING THE AVERAGE ANNUAL INTERIOR NOISE EXPOSURE FOR ANY RESIDENTIAL UNIT OR ENCLOSED PUBLIC ASSEMBLY AREA, WITHIN ZONE 6 OF THE NORTERRA PUD LAND USE PLAN, WILL NOT EXCEED 45 DECIBELS.**

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-261-8980, [leslie.scott@phoenix.gov](mailto:leslie.scott@phoenix.gov) or TTY: Use 7-1-1.