

Attachment E

REPORT OF PLANNING COMMISSION ACTION June 2, 2022

ITEM NO: 5	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-76-21-2 (Icon Kierland PUD) (Companion Case GPA-PV-4-21-2)
Location:	Southwest corner of Kierland Boulevard and Marilyn Road
From:	CP/GCP PCD
To:	PUD
Acreage:	6.10
Proposal:	Planned Unit Development to allow multifamily residential and commercial uses.
Applicant:	Nick Wood, Esq., Snell & Wilmer, LLP
Owner:	Valwood Mesquite, LLC
Representative:	Nick Wood, Esq., Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 2/7/2022 Information only

Paradise Valley 5/2/2022 Approval, per the staff recommendation. Vote: 11-0.

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

Motion Discussion: N/A

Motion details: Commissioner Gaynor made a MOTION to approve Z-76-21-2, per the Paradise Valley Village Planning Committee recommendation.

Maker: Gaynor
Second: McCabe
Vote: 7-0
Absent: Howard and Johnson
Opposition Present: Yes (possibly in error)

Findings:

1. The proposed development is compatible with the existing land use pattern in the area and is consistent with the proposed General Plan Land Use Map designation of Mixed Use (Commercial / Residential 15+ dwelling units per acre).
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.
3. The proposed development will provide additional housing options close to employers in a designated Major Employment Center.

Stipulations:

1. An updated Development Narrative for the Icon at Kierland PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 4, 2022, as modified by the following stipulations.
 - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
 - b. Page 9, Section D2.a., Landscape Setbacks (Minimum): Clarify landscape setback standard along the north and south property lines to be consistent with the proposed site plan by requiring a minimum 5-foot-wide landscape setback along the south and a minimum 0-foot-wide landscape setback along the north property line where not adjacent to a street.
 - c. Page 10, Section D2.d., Perimeter Property Lines – Not Adjacent to Public Right-of-Way (North, South, and West Property Lines): Remove the reference to the north property line as no landscape setback is provided here.
 - d. Page 11, Section D3.b., Parking Standards, Automotive Parking Location, Parking Location, Automotive: Modify the maximum number of parking spaces along the main entry drive that are located outside of the garage building footprint or building envelope to a maximum of five (5) spaces to be consistent with the proposed site plan.
 - e. Page 17, Section E2. b., Uniform Perimeter Design: Modify the third bullet to "Five (5) different accent species".
 - f. Page 21, Section H.1, Infrastructure, Grading and Drainage: Replace the fourth sentence as follows: Therefore, the subject site is not anticipated to provide any supplemental retention onsite, and may be required to address "first flush" stormwater treatment in accordance with the City of Phoenix Storm Water Policies and Standards Manual, current edition.
 - g. Page 23, Section I., Comparative Zoning Standards Table: Replace CP/GCP standards with C-2 standards.
2. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
3. 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.
4. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Scottsdale Municipal Airport (SDL) to future owners or tenants of the property.
5. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used

during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.

6. 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.
7. 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.

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