

## Attachment F

### REPORT OF PLANNING COMMISSION ACTION January 6, 2022

ITEM NO: 5	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-46-19-2 (Sendero Foothills PUD)
Location:	Approximately 900 feet north of the northeast corner of Cave Creek Dam Road and Desert Peak Parkway
From:	S-1
To:	PUD
Acreage:	213.18
Proposal:	Planned Unit Development to allow a mixture of single-family and multifamily residential.
Applicant:	24th Street and Jomax Road, LLC
Owner:	24th Street and Jomax Road, LLC
Representative:	William E. Lally, Tiffany & Bosco, PA

#### **ACTIONS:**

Staff Recommendation: Approval, per the Addendum A Staff Reports.

Village Planning Committee (VPC) Recommendation:

**Desert View** 5/4/2021 Information only.

**Desert View** 12/7/2021 Approval, per the staff recommendation. Vote: 11-0.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-46-19-2, per the Addendum A Staff Report, with the additional stipulation as read into the record.

Maker: Johnson  
Second: Gorraiz  
Vote: 6-2 (Bushing and Perez)  
Absent: Shank  
Opposition Present: No

#### **Findings:**

1. The proposed PUD will donate a minimum of 120 acres to the Parks and Recreation Department as an addition to the Phoenix Mountain Preserve and/or a desert park. The development includes standards to ensure appropriate transitions from the donated area to adjacent uses.
2. The proposal balances the need for additional housing, while retaining and preserving the desert landscape, as outlined in the North Land Use Plan and Sonoran Preserve Master Plan.

3. The proposal includes several development standards, such as increased tree caliper, edge conditions, and setbacks, and design guidelines that exceed conventional Zoning Ordinance standards.

Stipulations:

1. An updated Development Narrative for the Sendero Foothills 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 29, 2021, as modified by the following stipulations:
  - a. Front Cover: Revise submittal date information on the cover page as follows:  
1st Submittal: August 8, 2019  
2nd Submittal: February 19, 2021  
3rd Submittal: August 16, 2021  
4th Submittal: November 2, 2021  
Hearing Draft: November 29, 2021  
City Council Adopted: TBD
  - b. Update the narrative to reflect a site acreage of ~~217.86~~ 213.18 acres.
  - c. Page 10, Section D.1, Development Standards: Add the following under the second paragraph:
    - Maximum dwelling units for the overall PUD area: 250
    - Development will be restricted to slopes of 20% or less
  - d. Page 15, Section D.2.iv: Increase live coverage to 75% to be consistent with the live coverage standards for single-family and multifamily development.
  - e. Page 17, Section E.2, Site Design: Add the following language, "j. Walkways and trails shall be wide enough, five-foot minimum, to accommodate both pedestrians and bicycle users."
2. Prior to the issuance of Final Site Plan approval, the landowner shall convey 120 acres (or an area mutually agreed by the city and the owner) of hillside land selected by the City of Phoenix and located in the area as depicted as Tract A of the final plat, to the City of Phoenix for use as a City of Phoenix desert park and/or mountain preserve.
3. The landowner shall work with the City of Phoenix Parks and Recreation Department to determine a maximum of three access sites to the desert park or mountain preserve area prior to issuance of Final Site Plan approval. Access sites shall be located in mutually agreed upon locations by the City of Phoenix and the landowner and must be identified and delineated on the Final Site Plan.
4. The developer is required to complete a Traffic Impact Study. Preliminary site plan approval shall not be granted until the study has been approved by the Street Transportation Department.
5. The development shall adhere to the dedications and infrastructure improvements as stipulated in the approved Traffic Impact Study.

6. The developer shall provide the Planning and Development Department with proof of legal access between the development and a public right-of-way prior to final plat approval. This private access shall be sufficient to service a subdivision in accordance to the Subdivision Code in Chapter 32 of the City Code, as approved by the Planning and Development Department.
7. 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.
8. If Phase I data testing is required, and 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, the applicant shall conduct Phase II archaeological data recovery excavations.
9. 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.
10. **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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