

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION February 2, 2023

ITEM NO: 10	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-79-22-4
Location:	Approximately 200 feet northwest of the northwest corner of 12th Street and Turney Avenue
From:	R-3
To:	R-4
Acreage:	1.62
Proposal:	Multifamily Residential
Applicant:	Nicholas A. Sobraske, Gammage & Burnham, PLC
Owner:	Turney Canals, LLC
Representative:	Ashley Z. Marsh, Gammage & Burnham, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Encanto 1/9/2023 Approval, per the staff recommendation. Vote: 14-0-1.

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

Motion Discussion: N/A

Motion details: Commissioner Gorraiz made a MOTION to approve Z-79-22-4, per the Encanto Village Planning Committee recommendation.

Maker: Gorraiz
Second: Simon
Vote: 9-0
Absent: None
Opposition Present: No

Findings:

1. The requested R-4 zoning district is consistent with the zoning districts in the surrounding area.
2. The proposal is consistent with the surrounding uses in the area and will provide for additional housing options in the Encanto Village.
3. The proposed development enhances connectivity in the immediate vicinity by constructing a sidewalk along Turney Avenue, providing a private connection from the canal to the development, and contributes funds to upgrade the canal crossing at 12th Street.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped October 19, 2022 as approved by the Planning and Development Department.
2. The developer shall construct a minimum 5-foot-wide sidewalk along the north side of Turney Avenue, as approved by the Planning and Development Department.
3. The developer shall provide bicycle parking and/or storage as required by Chapter 13, Section 1307.H, as approved by the Planning and Development Department.
4. The developer shall deposit \$25,000 in an escrow account to the Street Transportation Department prior to preliminary site plan approval for the purposes of upgrading the pedestrian crossing along the Grand Canal and 12th Street.
5. 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.
6. The property owner shall record documents that disclose the existence, and operational characteristics of the Phoenix Sky Harbor 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.
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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