




City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: Mayor and City Councilmembers

Date: September 12, 2018

From: Alan Stephenson 
Planning and Development Director

Subject: Z-14-18-2 (DMB CIRCLE ROAD PARTNERS MIXED USE DEVELOPMENT PUD)

Z-14-18-2 is a request for a Planned Unit Development (PUD) at a property located approximately 415 feet north of the northwest corner of Scottsdale Road and Kierland Boulevard. The PUD proposes a mid-rise mixed-use development. The request for the PUD was filed with and determined complete by the Planning and Development Department on March 5, 2018.

The request was heard by the Paradise Valley Village Planning Committee (VPC) on July 9, 2018. The Paradise Valley VPC recommended approval of the request per staff's stipulations which limited the building height to a maximum of 120 feet. The VPC's recommendation for approval also included additional stipulations amending the PUD's development standards regarding parking spaces for a hotel use and the maximum number of dwelling units.

On August 2, 2018, the request was scheduled to be heard by the Planning Commission. Prior to the Planning Commission hearing, the applicant requested a one-month continuance. The Planning Commission approved the request for a continuance to their September 6, 2018 hearing.

On September 6, 2018, the request was on the Planning Commission's meeting agenda. The Planning Commission meeting had a quorum of six members in attendance. A minimum of five members was needed for a quorum of the nine-member board. When the Commission came to item #10 on the agenda, Three members declared a conflict and recused themselves from participating on this item. This combined with the fact that four members were not in attendance left only two members available to participate on this item. Due to the lack of quorum, the Planning Commission could not act on the item.

Section 506.A.8 of the Phoenix Zoning Ordinance states that the Planning Commission has 120 days to report on a proposed rezoning amendment from the date it was determined complete by the Planning and Development Department. The 120-day calculation does not include days that an applicant is working to address staff comments provided as part of the review process. Given the Planning Commission's lack of action on the item, the request will move forward to the City Council with a report of no action due to a lack of quorum.

The request is scheduled to be heard by the City Council at the October 3, 2018 Formal meeting. Per State Law, at least one public hearing must be held on a rezoning request. Given that no public hearing was held on the item by the Planning Commission, the City Council will be required to hold a public hearing as part of the Formal meeting on October 3, 2018.

c: Mario Paniagua