

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION May 4, 2023

ITEM NO: 3	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-59-22-1 (Home at Happy Valley PUD)
Location:	Approximately 320 feet north of the northwest corner of 17th Avenue and Happy Valley Road
From:	S-1 and C-2
To:	PUD
Acreage:	8.00
Proposal:	Planned Unit Development to allow multifamily residential
Applicant:	Shelter Asset Management
Owner:	Red Hawk Partners, LLC, et al.
Representative:	Benjamin Graff, Quarles & Brady, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 2/9/2023 Information only - No quorum.

Deer Valley 4/20/2023 Recommendation - No quorum.

Planning Commission Recommendation: Approval, per the staff recommendation.

Motion Discussion: N/A

Motion details: Commissioner Gaynor made a MOTION to approve Z-59-22-1, per the staff recommendation.

Maker: Vice-Chair Gaynor
Second: Gorraiz
Vote: 5-3 (Busching, Perez, and Simon)
Absent: Mangum
Opposition Present: Yes

Findings:

1. The proposal would allow multifamily residential, which is compatible with proposed land uses to the west and is consistent with the proposed General Plan Land Use Map designation of Residential 15+ dwelling units per acre.
2. The proposal, as stipulated, protects the character of the surrounding area by providing additional landscape setbacks, open space, and limiting height adjacent to single-family residential properties to the north.
3. The subject site is appropriate for residential uses at the proposed densities and provides new housing opportunities in the Deer Valley Village and in close proximity to employment uses.

Stipulations:

1. An updated Development Narrative for the Home at Happy Valley 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 April 4, 2023, as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to the following:

City Council Adopted: [Add Adoption Date]
2. A minimum of 30 feet of right-of-way shall be dedicated for the west side of 17th Avenue, as approved by the Planning and Development Department.
3. The applicant shall submit a Traffic Impact Study to the City for this development. The developer shall be responsible for cost and construction of all mitigation identified through the analysis. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
4. 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.
5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.
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 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.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 495-5622, TTY use 7-1-1.