

## Attachment E

### REPORT OF PLANNING COMMISSION ACTION June 6, 2019

ITEM NO: 11	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-89-18-2 (Manor Scottsdale PUD)
Location:	Approximately 275 feet south and 240 feet west of the southwest corner of Scottsdale Road and Joan de Arc Avenue
From:	C-1 SP
To:	PUD
Acreage:	7.18
Proposal:	Manor Scottsdale PUD to allow multifamily and/or C-1 commercial uses
Applicant:	The Related Group
Owner:	Halmic, LLC/Kash Asset Holdings, LLC, etal
Representative:	Nick Wood, Snell and Wilmer, LLP

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Paradise Valley** 3/4/2019 Information Only.

**Paradise Valley** 5/6/2019 Approval, per the staff recommendation with additional stipulations.  
Vote: 12-1.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation with a deleted and additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-89-19-2, per the Paradise Valley Village Planning Committee recommendation, with the deletion of added Stipulation No. 7 and with the additional staff stipulation as read into the record.

Maker: Shank  
Second: Montalvo  
Vote: 9-0  
Absent: None  
Opposition Present: Yes

#### **Findings:**

1. The proposed development is in conformance with the General Plan Land Use Map designation.
2. The proposed development is consistent with several General Plan goals and policies that will result in a more walkable, shaded and pedestrian-friendly environment.
3. The proposed development will provide additional housing opportunities in the area.

4. The proposed development provides additional protection for adjacent single-family uses through site design and enhanced development standards.

Stipulations:

1. An updated Development Narrative for the Manor Scottsdale 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 15, 2019.
2. 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.
3. 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.
4. 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.
5. The developer shall grant and record an aviation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
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. ~~THE APPLICANT SHALL NOT INITIATE A PETITION TO THE CITY OF PHOENIX STREET TRANSPORTATION DEPARTMENT TO OPEN JOAN DE ARC ROAD AS A THROUGH STREET WHERE IT WAS PREVIOUSLY ABANDONED THROUGH STREET CLOSURE CASE NO. V990088C ON 1/17/2001.~~
8. THE APPLICANT SHALL RECORD A CONDOMINIUM PLAT FOR THE MANOR SCOTTSDALE PUD DEVELOPMENT PRIOR TO FINAL CERTIFICATE OF OCCUPANCY.
9. ALL UNITS SHALL BE CERTIFIED AND CONSTRUCTED WITH NOISE ATTENUATION MEASURES, SUCH AS OUTLINED IN BUILDING CODES FOR NOISE LEVEL REDUCTION/SOUND INSULATION REQUIRED TO REDUCE EXTERIOR TO INTERIOR NOISE LEVELS BY AT LEAST 25DB, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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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