

Attachment D

REPORT OF PLANNING COMMISSION ACTION October 3, 2019

ITEM NO: 6	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-33-19-1
Location:	Northwest corner of 33rd Avenue and the Jomax Road alignment
From:	S-1
To:	R1-18
Acreage:	18.41
Proposal:	Single-family residential
Applicant:	Norris Design c/o Ron Harris
Owner:	EB Rezzonico Properties, LLLP/Et Al.
Representative:	Mike Musulin

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Deer Valley 8/15/2019 No quorum.

Deer Valley 9/19/2019 No recommendation (motion to approve per the staff recommendation with an additional stipulation failed by a 2-4 (2 abstained) vote and motion to deny failed by a 4-2 (2 abstained) vote).

Planning Commission Recommendation: Approval, per the staff recommendation with an additional stipulation and modified stipulation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-33-19-1, per the staff recommendation with the additional stipulation as read into the record and modification to Stipulation No. 6 to read as follows, "The applicant shall provide a minimum of one PUBLIC PEDESTRAIN access point to AND FROM the regional trail system located at the northwest corner of the site, as approved by the Planning and Development Department AND ONE PUBLIC PEDESTRAIN ACCESS POINT FROM NORTH 33RD AVENUE TO THE SUBDIVISION, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT."

Maker: Johnson

Second: Busching

Vote: 8-0

Absent: Montalvo

Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 0 to 2 dwelling units per acre that is on the majority of the site.
2. As stipulated, the proposal is compatible with the surrounding land uses because of the density and connectivity to existing trail systems in the area.
3. This proposal directly abuts the Riordan Ranch subdivision to the west, which is also zoned R1-18. The proposed project, as stipulated, is compatible with other single-family projects in the area.

Stipulations:

1. The project shall not exceed 37 lots.
2. The developer shall dedicate a preservation easement or tract on areas above 15% slope, as approved by the Planning and Development Department.
3. A minimum of 15% of the gross project shall be retained as open space, including washes and hillside areas, not including required perimeter setbacks, as approved by the Planning and Development Department.
4. There shall be a minimum of one private open space amenity area. The area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
 - a. Pavilion or Ramada
 - b. Barbecue and Picnic Area
 - c. Fire Pit
5. All sidewalks shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum 3-inch caliper drought tolerant shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
6. The applicant shall provide a minimum of one PUBLIC PEDESTRAIN access point to AND FROM the regional trail system located at the northwest corner of the site, as approved by the Planning and Development Department AND ONE PUBLIC PEDESTRAIN ACCESS POINT FROM NORTH 33RD AVENUE TO THE SUBDIVISION, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
7. 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.

8. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property.
9. 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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