

## Attachment C

### REPORT OF PLANNING COMMISSION ACTION

April 5, 2018

REVISED 4/11/2018

ITEM NO: 5	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	GPA-MV-1-18-5 (Companion Case Z-7-18-5)
Location:	Approximately 1,300 feet north of the northwest corner of 107th Avenue and Camelback Road
Request:	From: Residential 3.5 to 5 dwelling units per acre, Residential 1 to 2 dwelling units per acre To: Residential 2 to 3.5 dwelling units per acre Acreage: 66.63
Proposal:	Single-family residential
Applicant:	José Castillo, Mattamy Homes
Owner:	RLD II Loan, LLC
Representative:	Jennifer Hall, Rose Law Group

#### **ACTIONS:**

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 3/14/2018 Denial. Vote: 7-1.

Planning Commission Recommendation: Approval, per the staff recommendation.

#### Motion discussion:

Commissioner Wininger made a MOTION to continue GPA-MV-1-18-5 to the May 3, 2018 Planning Commission hearing, without fee.

Commissioner Glenn asked for clarification if the motion to continue was for both the General Plan Amendment case and the rezoning case. Commissioner Wininger affirmed that the motion was to continue both cases.

Commissioner Whitaker seconded the motion.

Chairman Katsenes explained that she could not support the approval of the case because of the transportation problems. She stated that the Planning Commissioners are not transportation experts and building a road between two cities is not their responsibility and neither is it the responsibility of the developer. The continuance; however, will not create a sense of urgency for the three parties to come to an agreement.

Commissioner Shank asked Commissioner Glenn to explain his stipulations.

Commissioner Glenn stated his stipulations as follows:

Stipulation 19: Lots adjacent to 107th Avenue shall have a minimum lot size of 1,800 square feet as depicted on the conceptual site plan as to try to deal with a blending from RE-32 to R1-10. It would be an R1-18 strip.

Stipulation 20: No vehicular access, except for emergency vehicles, will be permitted on 107th Avenue.

Stipulation 21: Fifty percent of the lots adjacent to 107th Avenue shall be limited to a single story, as determined by the Planning and Development Department.

Stipulation 22: Prior to preliminary site plan approval, the applicant will present to the Village Planning Committee preliminary elevations of housing products for review and comment.

Stipulation 23: The developer shall contribute to the extension of Ball Park Boulevard – the amount to be determined prior to City Council.

Commissioner Glenn believes staff will not allow Stipulation 23. He asked for confirmation from staff.

Ms. Escobar confirmed that the city would not be able to stipulate improvements or contributions to construct Ball Park Boulevard beyond the boundaries of the rezoning area.

Commissioner Shank agreed with all those recommendations, except for Commissioner Wininger's comments about 107th Avenue becoming an exit for some sort of emergency, especially if the road will not get built right away.

Commissioner Glenn asked if he should modify the stipulation to close the 107th Avenue access point once the Ball Park Boulevard improvement goes through. He asked staff for confirmation on temporary access on 107th until Ball Park Boulevard is finished. He asked if staff would support this.

Ms. Escobar stated that staff is not supportive of no access on 107th Avenue. Having access is better for traffic circulation in the area. Staff is supportive of the access as shown on the site plan which shows the resident access on 107th Avenue.

Chairman Katsenes closed the question session before voting on the motion for the General Plan Amendment and a roll call vote was called.

The motion failed by a vote of 2-4 (Glenn, Katsenes, Montalvo, Shank).

Commissioner Glenn made a MOTION to approve GPA-MV-1-18-5 per the staff recommendation.

Commissioner Shank seconded the motion.

Commissioner Whitaker stated that he could not support the motion because in the eight years that he has been a commissioner, he has not seen a companion case move forward without the other case.

The motion passed by a vote of 4-2 (Whitaker, Wininger).

Motion details – Commissioner Glenn made a MOTION to approve GPA-MV-1-18-5 per the staff recommendation.

Maker: Glenn  
Second: Shank  
Vote: 4-2 (Whitaker, Wininger)  
Absent: Johnson, Heck  
Opposition Present: Yes

Findings:

1. The proposed General Plan Land Use Map designation of Residential 2 to 3.5 dwelling units per acre is compatible with the uses developed and planned in the vicinity of the property.
2. The request will not dramatically alter the desired land use pattern in the area.

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