

Attachment D

REPORT OF PLANNING COMMISSION ACTION March 4, 2021

ITEM NO: 8	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-35-20-8 (Companion Case GPA-SM-1-20-8) (Sanctuary at South Mountain PUD)
Location:	Approximately 340 feet west of the southwest corner of 40th Street and Southern Avenue
From:	C-2 BAOD and S-1 BAOD
To:	PUD BAOD
Acreage:	17.27
Proposal:	Planned Unit Development to allow residential (including multifamily) and other permitted uses from the Mixed Use Agricultural Zoning District
Applicant:	Jason Morris, Withey Morris, PLC
Owner:	John C. Oertle, Jr., Lisa Kay Oertle-Mel, et al
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval.

Village Planning Committee (VPC) Recommendation:

South Mountain 2/9/2021 Continued. Vote: 17-0.

South Mountain 3/9/2021 Pending.

Planning Commission Recommendation: Continuance to the April 1, 2021 Planning Commission Hearing, without fee.

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to continue Z-35-20-8 to the April 1, 2021 Planning Commission hearing, without fee.

Maker: Howard
Second: Johnson
Vote: 9-0
Absent: None
Opposition Present: No

Findings: Continuance granted to allow the Village Planning Committee to provide a recommendation.

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REPORT OF PLANNING COMMISSION ACTION
April 1, 2021

ITEM NO: 6	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-35-20-8 (Companion Case GPA-SM-1-20-8)
Location:	Approximately 340 feet west of the southwest corner of 40th Street and Southern Avenue
From:	C-2 BAOD and S-1 BAOD
To:	PUD BAOD
Acreage:	17.27
Proposal:	Planned Unit Development to allow residential (including multifamily) and other permitted uses from the Mixed Use Agricultural Zoning District
Applicant:	Withey Morris, PLC, Jason Morris
Owner:	John C. Oertle, Jr., Lisa Kay Oertle-Mel
Representative:	Withey Morris, PLC, Jason Morris

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

South Mountain 8/11/2020 Informational Only.

South Mountain 11/10/2020 Informational Only.

South Mountain 2/9/2021 Continued. Vote: 17-0.

South Mountain 3/9/2021 Denial. Vote: 12-7.

Planning Commission Recommendation: Approval, per the staff recommendation in the staff report, with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Howard made a motion to approve Z-35-20-8, per the recommendation in the staff report, with the additional stipulation as read into the record.

Maker: Howard

Second: Gorraiz

Vote: 6-2

Absent: Johnson

Opposition Present: Yes

Findings:

1. The proposal is consistent with the proposed General Plan Land Use Map designation as well as the surrounding land uses and land use map designations.

2. The proposal includes enhanced development standards and design guidelines that often exceed MUA, BAOD and traditional residential standards that will promote the rural and agricultural nature of the surrounding area.
3. The proposal will allow for additional residential development that is appropriately located at the intersection of two arterial streets that offer alternative transportation options connecting to the Interstate 10 freeway and future light rail corridor further to the west. The proposal provides a transition from existing commercial uses to single-family residential to the south.

Stipulations:

1. An updated Development Narrative for the Sanctuary at South Mountain 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 January 22, 2021, as modified by the following stipulations:
 - a. Front Cover: Revise the submittal date information to add the City Council adoption date.
 - b. Page 9, 1. Development Standards Table, Minimum Building Setbacks, add letter “s” at the end of “Interior Property Line...” in reference to interior property lines adjacent to the existing Walgreens.
 - c. Page 10, under Open Space, add “...of gross site acreage.” at the end of the first sentence.
 - d. Page 12, Plant Lists, change the bold subheading “Plant Lists” from the right-hand side of the table to the center-top above the reference to plant materials. Also add the word “Zoning” after “Mixed Use Agricultural...”.
 - e. Page 14, 5. Amenities, shift “b. Outdoor Amenities:” to the following page.
 - f. Page 15, 6. Open Space, align the formatting of the text in the second paragraph.
 - g. Page 16, 7. Shade, edit the last sentence to the following: “c. Shade requirements shall be calculated on a Summer Solstice at 12:00 noon.”
 - h. Page 17, second paragraph, revise the second sentence to state “c. Connections shall be provided from and between the following elements via the most direct route using pathways a minimum of 4 feet in width:” and revise the alignment at the bottom of the page starting with “d. Traffic calming...”.

- i. Page 19, E. Design Guidelines, change subheading from “1. Multifamily Residential” to “1. General Standards”.
 - j. Page 19, E. Design Guidelines, under 1. Multifamily Residential, change to: “e. All of the residential units adjacent to 39th Street shall contain covered back patios at a minimum of 200 square feet in area at a depth of at least six feet, if the front of residential units is not oriented towards 39th Street.”
 - k. Page 19, E. Design Guidelines, under 1. Multifamily Residential, remove sentence starting with “f. A minimum of two pedestrian gates...”
 - l. Page 21, 5. Building Orientation and Massing, revise the second sentence to “b. Residential units adjacent to 39th Street which are not fronting onto 39th Street, shall incorporate back patios oriented towards 39th Street to reinforce community orientation and place eyes on this street.”
 - m. Page 22, 10. Other Design Elements, please align the subheading.
 - n. Page 25, H. Complete Streets, change the word “ROW” to “right-of-way”.
 - o. Page 26, I. Infrastructure, 1. Circulation, lower case the word “Pedestrian”.
 - p. Page 27, J. Comparative Zoning Table, update the Proposed PUD standards to match with the rest of the PUD document.
- 2. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department, to set up a meeting to discuss the requirements of the statement/study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
 - 3. The developer shall dedicate a one-foot Vehicular Non-Access Easement (VNAE) along Southern Avenue, as approved by the Planning and Development 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. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property and tenants within the development the existence and operational characteristics of agricultural uses. The form and

content of such documents shall be reviewed and approved by the City Attorney.

6. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) 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.
7. The developer shall grant and record an aviation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
8. 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.
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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