

Attachment E

REPORT OF PLANNING COMMISSION ACTION January 7, 2021

ITEM NO: 15	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-33-20-2 (Optima Kierland Center Phase II PUD)
Location:	Approximately 415 feet north of the northwest corner of Scottsdale Road and Kierland Boulevard
From:	C-2 PCD
To:	PUD
Acreage:	1.93
Proposal:	PUD to allow multifamily residential and commercial uses
Applicant:	Optima
Owner:	Kierland Center, LLC
Representative:	Nick Wood, Snell & Wilmer, LLP

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 8/31/2020 Information Only.

Paradise Valley 12/7/2020 Approval, per the staff recommendation with additional stipulations.
Vote: 16-0 (1 abstained).

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

Motion Discussion: N/A.

Motion details: Commissioner Howard made a MOTION to approve Z-33-20-2, per the Paradise Valley Village Planning Committee recommendation, with an additional stipulation as read into the record.

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

Findings:

1. The proposed development will result in more housing choices which will help to support the nearby employment center.
2. The proposed development is compatible with the existing land use pattern in the area and is designed to enhance a walkable environment along Scottsdale

Road where there are other multifamily developments nearby to encourage an active frontage.

3. The development will provide increased shade which will help to reduce the urban heat island effect.

Stipulations:

1. An updated Development Narrative for the Optima Kierland Center Phase 2 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 November 20, 2020, as modified by the following stipulations:
 - a. Front Cover: Remove "HEARING DRAFT" and revise submittal date information on bottom of the cover page as follows:
1st Submittal: June 17, 2020
2nd Submittal: September 3, 2020
3rd Submittal: November 2, 2020
Hearing Draft: November 20, 2020
City Council adopted: TBD
 - B. ADD TO SECTION E.2.A, UNIFORM STREETSCAPE DESIGN, AT END:
NOTWITHSTANDING THE ABOVE, AND ANY OTHER PROVISION OF THIS PUD, IN ORDER TO PRESERVE VISIBILITY TO THE EXISTING RETAIL DEVELOPMENT LOCATED ON THE PROPERTY NORTH OF THE SITE, NO TREES WILL BE REQUIRED IN THE LANDSCAPE AREA LOCATED BETWEEN THE ENTRY DRIVE AISLE AND SCOTTSDALE ROAD.
 - C. MODIFY SECTION D.5.E TO READ:
ALL PUBLIC SIDEWALKS SHALL BE SHADED TO A MINIMUM OF 75% (IF VEGETATIVE, AT TREE MATURITY) EXCEPT THOSE LOCATED NORTH OF THE ENTRY DRIVE (TO PRESERVE VISIBILITY TO EXISTING RETAIL DEVELOPMENT THAT WOULD OTHERWISE BE BLOCKED BY SHADING VEGETATION OR STRUCTURES).
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 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 Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, 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.

4. The property owner shall record documents that disclose the existence, and operational characteristics of Scottsdale Municipal Airport (SDL) 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.
5. The developer shall provide documentation to the City of Phoenix 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.
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 Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.