

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION May 7, 2020

ITEM NO: 6	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-66-19-2
Location:	Southwest corner of Cave Creek Dam Road and the Desert Peak Parkway alignment
From:	R1-6 DVAO and C-O/G-O HGT/WVR DVAO
To:	R1-6 DVAO
Acreage:	39.43
Proposal:	Single-family residential
Applicant:	Josh Robinson, Hilgart Wilson, LLC
Owner:	DR Horton, Inc
Representative:	Benjamin L. Tate, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Desert View** 3/3/2020 No quorum.

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

Motion Discussion: N/A

Motion details: Commissioner Gaynor made a MOTION to approve Z-66-19-2 per the staff recommendation with the additional stipulation as read into the record.

Maker: Gaynor  
Second: Gorraiz  
Vote: 7-0 (Conflict: Shank)  
Absent: Montalvo  
Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map and North Land Use Plan designations and will contribute to the overall residential character of the area.
2. As stipulated, the building design and plant palette will ensure compatibility with the surrounding desert environment and will minimize visual impact to the surrounding area.

3. The development will include detached sidewalks and trees along Cave Creek Dam Road which will provide increased connectivity as well as promote pedestrian-oriented design in the area.

Stipulations:

1. The development shall not exceed 33 lots.
2. A minimum of 70 percent of the gross project area shall be retained as open space, including washes and hillside areas as approved by the Planning and Development Department.
3. All elevations shall contain three of the following architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, stone veneer wainscoting, decorative gabel pipe details, decorative wooden shutters, or similar features, as approved by the Planning and Development Department.
4. Building and wall colors shall be muted and blend with rather than contrast strongly with the surrounding desert environment. as approved by the Planning and Development Department.
5. All elevations shall have decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors, as approved by the Planning and Development Department.
6. A minimum landscape setback of 25 feet shall be required along Cave Creek Dam Road.
7. The sidewalks along Cave Creek Dam Road shall be detached with a minimum 5-foot-wide landscaped area located between the sidewalk and back of curb. Minimum 2-inch caliper shade trees shall be planted on both sides of the sidewalk (minimum of 20 feet on center or equivalent groupings), as approved by the Planning and Development Department.
8. On interior streets, shade trees shall be planted adjacent to sidewalks at a rate of a minimum of two, 2-inch caliper or greater shade tree provided at a spacing of 20 to 30 feet on center, depending on species, within the front yard of each residential lot and where sidewalks are adjacent to common area tracts, as approved by the Planning and Development Department.
9. All landscape material shall be drought tolerant plant types, as approved by the Planning and Development Department.
10. All retention areas shall be natural and organic in shape to blend with the natural desert area, as approved by the Planning and Development Department.
11. Perimeter walls shall incorporate stone veneer, stonework, faux stone, or integral color CMU block, as approved by the Planning and Development Department.

## STREET TRANSPORTATION

12. The developer shall be responsible for the installation of all associated drainage improvements to the adjacent roadways in accordance with the City of Phoenix, Storm Water Design Manual.
13. 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.

## FLOODPLAIN MANAGEMENT

14. This parcel is located in Special Flood Hazard Areas called a Zone AE Floodplain & Floodway on panel 1285 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
  - a. No encroachment is allowed in the floodway without hydrologic and hydraulic analysis showing no rise in water surface elevation and increase in the special flood hazard area boundaries.
  - b. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
  - c. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.
  - d. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

## AVIATION

15. The developer shall grant and record an aviation notice to the City of Phoenix Aviation and Planning and Development Departments for the site, per Zoning Ordinance Section 658D and per the content and form provided prior to final site plan approval.
16. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Deer Valley Airport (DVT) 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.

## ARCHAEOLOGY

17. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
18. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
19. 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.
20. 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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