

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION August 4, 2022

ITEM NO: 24	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-18-22-1
Location:	Northeast corner of 19th Avenue and Yearling Road
From:	S-1
To:	R-2
Acreage:	2.55
Proposal:	Single-family residential
Applicant:	Red Hawk Development Corporation
Owner:	CMI Construction, LLC
Representative:	Charles Eckert Jr.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Deer Valley 6/9/2022 Denial. Vote: 5-3.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve Z-18-22-1, per the Addendum A Staff Report.

Maker: Johnson
Second: Mangum
Vote: 7-2 (Perez and Simon)
Absent: None
Opposition Present: Yes

Findings:

1. The requested R-2 zoning district is consistent with the Traditional Lot Category of the General Plan Land Use Map designation.
2. As stipulated, the proposed development would include density and height limits, as well as design elements, such as enhanced landscaping and detached sidewalks, that mitigate impacts to surrounding properties.
3. As stipulated, the proposed development enhances connectivity in the immediate vicinity by improving adjacent roadways and providing shaded detached sidewalks.

Stipulations:

1. The development shall not exceed ~~20~~ 18 dwelling units.
2. The development shall not exceed a maximum building height of 30 feet.
3. THE DEVELOPMENT SHALL CONTAIN A MINIMUM 3,500-SQUARE-FOOT OPEN SPACE AREA AT THE NORTHEAST CORNER OF THE SITE.
- ~~3.~~ 4. The common open space area shall provide a minimum of 3 active recreational elements, such as, but not limited to playground sets, ramadas, barbeque area, as approved by the Planning and Development Department.
- ~~4.~~ 5. The garage doors shall have a variety of decorative embellishments such as window panels, color and added materials for the pillars surrounding the door, as approved by the Planning and Development Department.
- ~~5.~~ 6. The required perimeter setbacks on all sides of the property shall be landscaped and include minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
- ~~6.~~ 7. The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 11-foot-wide landscape area between the back of curb and sidewalk along 19th Avenue, planted to the following standards and as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper drought-tolerant shade trees that provide shade to a minimum 75 percent at maturity.
 - b. Drought-tolerant vegetation to achieve 75 percent live coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

- ~~7.~~ 8. The Developer shall work with Maricopa County to de-annex the 25-foot federal patent easement area of the southern property line adjacent to Yearling Road. If the 25-foot federal patent easement area is not de-annexed within 6 months after the approval date of this rezoning, the applicant shall construct improvements over the federal patent easement area, as modified and approved by the Street Transportation Department and the Planning and Development Department.
- ~~8.~~ 9. 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.
- ~~9.~~ 10. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport 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.

- ~~10.~~ In the event archaeological materials are encountered during construction, the
- 11. 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.

- ~~11.~~ Prior to preliminary site plan approval, the landowner shall execute a Proposition 207
- 12. 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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