

Attachment D

REPORT OF PLANNING COMMISSION ACTION March 4, 2021

ITEM NO: 12	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-55-20-7
Location:	Approximately 200 feet north of the northwest corner of 9th Avenue and Minton Street
From:	S-1
To:	R1-8
Acreage:	1.32
Proposal:	Single-family residential
Applicant:	Jose Gustavo Ruiz and Maria Pina
Owner:	Jose Gustavo Ruiz and Maria Pina
Representative:	Manuel A. Inurriaga

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

South Mountain 2/9/2021 Approval, per the staff recommendation. Vote: 15-0.

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

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-55-20-7, per the South Mountain Village Planning Committee recommendation, with the additional stipulation as read into the record.

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

Findings:

1. This proposed infill development provides a new housing option that is consistent with surrounding developments and policy plans.
2. The development, as stipulated, is generally consistent with policies and the intent of the Rio Montaña Area Plan.

3. The development, as stipulated, will improve adjacent streets to enhance connectivity and accessibility for residents in the area, including children and families traveling to and from the adjacent elementary school.

Stipulations:

1. Where residential homes contain front-loaded garages or carports, these elements shall be setback a minimum of 10 feet from the front face of the home along the adjacent public street, as approved by the Planning and Development Department.
2. Residential homes shall include a porch facing the adjacent public street, at a minimum of 60 square feet in area and at a depth of at least 6 feet and enclosed on each side with fencing, as approved by the Planning and Development Department.
3. The developer shall complete the cul-de-sac bulb on Carter Road with curb, gutter, sidewalk and associated right-of-way or sidewalk easement, 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. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and contents of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
6. The developer shall grant and record an avigation 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.
7. 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.
8. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property 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.

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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