

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION October 6, 2022

ITEM NO: 14	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-16-22-1
Location:	Approximately 300 feet south of the southwest corner of 31st Avenue and Dynamite Boulevard
From:	S-1
To:	R1-10
Acreage:	5.04
Proposal:	Single-family residential
Applicant:	Ed Bull, Burch & Cracchiolo, P.A.
Owner:	Randy and Betty Schmille
Representative:	Ed Bull, Burch & Cracchiolo, P.A.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
Deer Valley 8/11/2022 Denial. Vote: 7-4.

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

Motion Discussion: N/A

Motion details: Commissioner Boyd made a MOTION to approve Z-16-22-1, per the Addendum A Staff Report with a modification to Stipulation No. 3 to include the lot at the northwest corner of site.

Maker: Boyd
Second: Gaynor
Vote: 8-1 (Perez)
Absent: None
Opposition Present: Yes

Findings:

1. The requested R1-10 zoning district will result in development that is consistent with the General Plan Land Use Map designation and with the character of the surrounding area.
2. As stipulated, the proposed development incorporates design elements that prevent the development from negatively impacting the surrounding area.
3. As stipulated, the proposed development enhances connectivity in the immediate vicinity, including enhanced shade elements.

Stipulations:

1. ~~The development shall be in general conformance with the conceptual site plan date stamped July 5, 2022, as modified by the following stipulations and approved by the Planning and Development Department.~~
THE DEVELOPMENT SHALL NOT EXCEED 14 LOTS.
2. The development shall be in general conformance with the conceptual elevations date stamped March 10, 2022, as approved by the Planning and Development Department.
3. ~~The development shall be limited to 1 story and 20 feet in height for lots adjacent to 31st Avenue and Dynamite Boulevard.~~
A MINIMUM OF 10 LOTS, WHICH SHALL INCLUDE ALL LOTS ADJACENT TO 31ST AVENUE, **THE LOT ON THE NORTHWEST CORNER OF THE SITE**, AND ALL LOTS ADJACENT TO THE SOUTH PERIMETER OF THE SITE, SHALL BE LIMITED TO 1 STORY AND 20 FEET IN HEIGHT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. The common open space area shall provide a minimum of 2 active recreational elements, such as, but not limited to, playground sets, ramadas, barbeque area, as approved by the Planning and Development Department.
5. The required landscape setbacks along 31st Avenue and Dynamite Boulevard shall 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. All sidewalks within the subdivision shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
7. ~~The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 8-foot-wide landscape area between the back of curb and sidewalk along Dynamite Boulevard, 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.~~
8. 7. 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. 8. 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.

- ~~40.~~ 9. 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.
- ~~44.~~ 10. 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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