

Attachment D

REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 10	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-53-21-4
Location:	Approximately 300 feet south of the southwest corner of I-17 and Campbell Avenue
From:	R-5
To:	R-5 and A-1
Acreage:	0.31
Proposal:	Multifamily residential and billboard
Applicant:	Jason Morris, Withey Morris, PLC
Owner:	Rene Sanchez Meza
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Alhambra 11/16/2021 Approval, per the staff recommendation. Vote: 14-0.

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

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-53-21-4, per the Alhambra Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Howard
Second: Gorraiz
Vote: 8-1 (Bushing)
Absent: None
Opposition Present: Yes

Findings:

1. The development is consistent with the General Plan Land Use Map designation of Residential +15 dwelling units per acre.
2. As stipulated, the development will provide additional affordable housing units, which advances the purpose and intent of the Housing Phoenix Plan.
3. The proposal is appropriate at this location due to its compatibility with the surrounding land uses and the location adjacent to Interstate 17.

Stipulations:

1. The maximum building height shall not exceed 30 feet. If the following conditions are met, the maximum height shall be 40 feet. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
 - a. A minimum of 75 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.
 - b. The applicant shall submit a copy of the draft Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.
 - c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.
2. One framing inspection for the primary building on the R-5 portion of the site shall be approved prior to the issuance of a permit for any off-premises signage.
3. The indoor noise levels of residential units shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.
4. The C-2 Streetscape Landscape Standards for planting type, size and quantity shall be used along the Black Canyon Highway Frontage Road with all trees being of a shade variety, as approved by the Planning and Development Department.
5. The required landscape setback areas along the north, west, and south site boundaries shall be planted with shade trees placed 20 feet on center or in equivalent groupings with 75 percent of the trees being a minimum 3-inch caliper, as approved by the Planning and Development Department.
6. The developer shall construct right-of-way improvements along the frontage road for the limits of the subject site including sidewalks, as determined and approved by ADOT.
7. The developer shall provide a minimum of 3 inverted-U style bicycle racks located near building entrances and shaded to a minimum 50 percent, as approved by the Planning and Development Department.
8. 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. Any new driveways and changes to existing driveways shall require the review and approval of ADOT. Documentation of ADOT's approval of all modifications shall be provided prior to Preliminary Site Plan approval.

10. A Red Border Letter shall be processed for this development, as determined by the Planning and Development Department.
11. If determined necessary by the Phoenix Archeology 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
13. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
14. **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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