

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION November 2, 2023

ITEM NO: 10	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-66-D-96-1
Location:	Approximately 500 feet south of the southeast corner of 41st Drive and Anthem Way
From:	C-2 PCD
To:	C-2 HGT/WVR PCD
Acreage:	2.70
Proposal:	C-2 with a height waiver to allow a 4-story hotel
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	ZAC NC Asset Investors, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Rio Vista** 10/10/2023 Approval, per the staff recommendation, with an additional stipulation.  
Vote: 3-1.

Planning Commission Recommendation: Approval, per the Rio Vista Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Vice-Chairman Gaynor made a MOTION to approve Z-66-D-96-1, per the Rio Vista Village Planning Committee recommendation.

Maker: Vice-Chairman Gaynor

Second: Gorraiz

Vote: 9-0

Absent: None

Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation.
2. The proposal will develop a vacant property and is compatible with surrounding land uses and zoning.
3. As stipulated, the proposal supports efforts from various plans and initiatives, including the Rio Vista Village Design Guidelines, the Tree and Shade Master Plan, the Complete Streets Guidelines, the Comprehensive Bicycle Master Plan, the Transportation Electrification Action Plan, and the Phoenix Climate Action Plan.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped September 13, 2023, as modified by the following stipulations and as approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped September 13, 2023, as modified by the following stipulations and as approved by the Planning and Development Department.
3. The Anthem West PCD (Z-66-96-1) master plans shall be updated to reflect approval of this amendment, if applicable, as approved by the Planning and Development Department.
4. The development shall comply with all applicable stipulations from the Anthem West PCD (Z-66-96-1), as approved by the Planning and Development Department.
5. The color and material palette for buildings shall be muted and blend with, rather than contrast strongly with, the surrounding desert environment, as approved by the Planning and Development Department.
6. Walls and fences, including screen walls, shall be decorative and incorporate stone veneer, stonework, or integral color CMU block, as approved by the Planning and Development Department.
7. Walls and fences shall use materials and colors that blend with the natural desert environment, as approved by the Planning and Development Department.
8. Sign lighting shall be subdued, soft, and dark-sky compliant, as approved by the Planning and Development Department.
9. Building and site lighting shall be low-profile, decorative, and dark-sky compliant, as approved by the Planning and Development Department.
10. All bicycle parking spaces and the sidewalk adjacent to 41st Drive shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
11. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
12. A minimum of 12.5% of surface parking lot areas, exclusive of perimeter landscape setbacks, shall be landscaped. The surface parking lot areas shall be landscaped to the following standards and maintained with a watering system, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper large canopy drought-tolerant shade trees dispersed throughout the parking area to achieve a minimum 25% shade at maturity.
  - b. Drought-tolerant shrubs, accents and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage at maturity.

13. A minimum of six bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance or amenity area and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
14. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
15. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed infrastructure as approved by the Planning and Development Department.
16. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
17. A minimum 5-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk along the east side of 41st Drive shall be constructed, planted to the following standards and as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
  - b. Drought-tolerant shrubs, accents and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage at maturity.

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

18. All streets within and adjacent to the development shall be constructed 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.
19. 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.
20. 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.
21. 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.

22. 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.
23. A SECONDARY VEHICULAR ACCESS SHALL BE PROVIDED ON THE NORTHEAST CORNER OF THE PROPERTY.

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