

**Attachment B**

Planning Hearing Officer Summary of March 21, 2018

Application Z-61-09-8

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REPORT OF PLANNING HEARING OFFICER ACTION  
Teresa Hillner, Planner III, Hearing Officer  
Jazmine Braswell, Planner I, Assisting

March 21, 2018

ITEM 10

DISTRICT 8

SUBJECT:

Application #: Z-61-09-8  
Zoning: R-2 PRD BAOD, R1-6 PRD BAOD, R1-10 PRD BAOD, and R1-8 PRD BAOD  
Acreage: 149.06  
Location: Approximately 500 feet east of the southeast corner of 7th Street and Dobbins Road  
Proposal: 1) Review of Stipulation No. 19 which requires that the Planning Hearing Officer review the conceptual elevations before preliminary site plan approval.  
2) Technical correction to Stipulation Nos. 1, 3, 4, 5, 6.a, 6.b, 7, 10, 11, 12, 13, 14, 15, 17, 18, 20, 21, 22, 22.c, 22.d, 25, 26, 27, 28 and 30.  
Applicant: Wendy Riddell/Berry Riddell LLC  
Owner: MGC Properties LLC  
Representative: Wendy Riddell/Berry Riddell LLC

**ACTIONS:**

Planning Hearing Officer Recommendation: The Planning Hearing Officer reviewed and approved the conceptual elevations presented by the applicant on behalf of Maracay Homes.

Village Planning Committee (VPC) Recommendation: At their March 13, 2018 meeting, the South Mountain Village Planning Committee recommended approval by an 11-4 vote.

**DISCUSSION:**

Ms. Wendy Riddell, representing the property owner, stated they are not proposing to modify any of the stipulations. They are requesting approval of the conceptual elevations. This case went before the South Mountain Village Planning Committee and received a positive recommendation. At the time of the original rezoning case, there was not a specific builder for this site. Now Maracay Homes will be developing this site. There were over 30 stipulations as a part of the original rezoning case. They are going to comply with all of them. She is before the PHO to comply with Stipulation No. 19. She stated the history of Stipulation No. 19 is the South Mountain Village wanted to review the conceptual elevations prior to site plan approval to make sure there was not going to be another Tuscan style development in the area. She stated the South Mountain Village Planning Committee was excited about the proposed elevations because

Maracay developed an entire new product line designed for this proposed development. There are 4 distinct models and within each of the 4 models, there are another 3 to 4 different elevations depending on the size of the lot.

Ms. Teresa Hillner stated there are 2 speaker cards submitted for this case.

Mr. Donald Card, resident of the area, stated he likes the plan but he has a concern about the increased traffic this development will bring. He asked if the developer could install roundabouts or a traffic light between 7<sup>th</sup> Street and 14<sup>th</sup> Street.

Ms. Hillner stated what is before her today is just reviewing the elevations. There was possibly a traffic study done at the time of the original rezoning case to address traffic mitigation concerns.

Mr. Card stated he loves all of the proposed elevations.

Ms. Hillner stated she is going to approve the elevations as presented.

**FINDINGS:**

1. The Vistal development was rezoned in 2009 to take over the former Thunderbird Resort and golf course. During the rezoning case, the applicant did not have potential building elevations to present. The stipulation was added to require the developer to present the conceptual building elevations prior to preliminary site plan approval. Little guidance as to what the neighborhood was looking for in these elevations was identified. The applicant has four zoning categories included in the development.
2. The applicant is proposing four design styles with four home sizes and 12 floor plan layouts. The applicant has identified other significant buildings in the area from which they drew design inspirations. The total package of building elevations seems compatible with the adjacent developments.

**DECISION:**

The Planning Hearing Officer reviewed and approved the conceptual elevations presented by the applicant on behalf of Maracay Homes.

**STIPULATIONS:**

1.	The development shall be in general conformance to the site plan date stamped July 1, 2010, as modified by the following stipulations and approved by the Planning and Development Services Department.
2.	That the development shall be limited to a maximum of 582 dwelling units and that development within each of the development areas shall be limited to the following unit maximums:

	Development Area	Maximum # of Dwelling Units	
	1	185	
	2	97	
	3	39	
	4	54	
	5	56	
	6	42	
	7	30	
	8	24	
	9	21	
	10	34	
	Total	582	
3.	That a minimum lot widths for all lots within the following zoning districts and development areas shall be as follows as approved by the Planning and Development Services Department.		
a.	Development areas 2 & 7 (R1-6 PRD): Minimum 50 feet		
b.	Development areas 5 & 6 (R1-8 PRD): Minimum 55 feet		
c.	Development areas 3, 4, 9 & 10 (R1-10 PRD): Minimum 60 feet		
<i>Open Space, Greenbelts and Trails</i>			
4.	That a minimum of 11 percent of the gross project area shall be retained as open space, exclusive of stipulated landscape setbacks, including washes and hillside areas, as approved by the Planning and Development Services Department.		
5.	That development shall be in general conformance to the Open Space Master Plan date stamped July 1, 2010 as approved by the Planning and Development Services Department with specific regard to:		
a.	Six (6) proposed pocket parks evenly distributed throughout the project area.		
b.	Greenbelts and private trails surrounding each of the development areas and connecting each of the development areas and pocket parks.		
c.	Greenbelt concept cross section of drainage and pedestrian corridors.		
6.	That the greenbelts and pocket parks on the Open Space Master Plan date stamped July 1, 2010, as modified by these stipulations, shall be dedicated as common tracts with the final plat of each parcel, to be owned and maintained by a master association inclusive of all parcels shown on the Open Space Master Plan date stamped July 1, 2010, with specific regard to the following minimum requirements:		
a.	That each of the proposed greenbelts shall be a minimum of 50 feet in width		

		and that landscaping within the greenbelts shall include at a minimum 2-inch caliper trees placed 20 feet on center, or in equivalent groupings and 5 shrubs per tree, as approved by the Planning and Development Services Department.
	b.	That each of the six proposed pocket parks shall be a minimum of 18,000 square feet and a minimum 100 feet in depth, as approved by the Planning and Development Services Department. Proposed greenbelts shall not be counted towards the minimum depth or square footage requirements for pocket parks.
7.		That each of the pocket parks shall provide, at a minimum, three of the following active recreational elements or other similar elements, as approved by the Planning and Development Services Department:
	a.	Swimming pool
	b.	Tot lot
	c.	Barbecue and picnic tables
	d.	Game courts
	e.	Jogging and/or parcours
	f.	Lawn or turf, putting green
	g.	Pavilions or ramadas
8.		That a multi-use trail easement totaling 30 feet shall be dedicated for the west side of 14th Street, south side of Dobbins Road and east side of 7th Street, as approved by the Parks and Recreation Department.
9.		That a multi-use trail shall be constructed in accordance with the MAG standard detail along the west side of 14th Street, south side of Dobbins Road and east side of 7th Street, as approved by the Parks and Recreation Department.
10.		That prior to preliminary site plan approval of the first phase of development the developer shall submit an internal trail system plan that connects each of the neighborhoods to each other, to each of the pocket parks, and to the multi-use trails on Dobbins Road, 7th Street and 14th Street, as approved by the Planning and Development Services Department. The internal trail shall be at a minimum 8 feet in width.
<i>Landscaping, Fencing and Walls</i>		
11.		That an average 60-foot (50-foot minimum) wide landscape setback shall be provided and maintained along Dobbins Road, as approved by the Planning and Development Services Department. Landscaping shall include, at a minimum, 2-inch caliper trees planted 20 feet on center, or in equivalent groupings and 5 shrubs per tree, as approved by the Planning and Development Services Department.

12.	That an average 50-foot (40-foot minimum) wide landscape setback shall be provided and maintained along 7th Street and 14th Street as approved by the Planning and Development Services Department. Landscaping shall include, at a minimum, 2-inch caliper trees planted 20 feet on center, or in equivalent groupings and 5 shrubs per tree as approved by the Planning and Development Services Department.
13.	That an average 30-foot (25 foot minimum) wide landscape setback shall be provided and maintained along Mineral Road, as approved by the Planning and Development Services Department. Landscaping shall include, at a minimum, 2-inch caliper trees planted 20 feet on center, or in equivalent groupings and 5 shrubs per tree as approved by the Planning and Development Services Department.
14.	That only landscape materials listed in the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines in the Phoenix Zoning Ordinance (Appendix A) shall be utilized in the landscape setbacks and greenbelts, as approved by the Planning and Development Services Department. Exceptions to this list, as listed in the Baseline Area Overlay District or these stipulations are allowed within the primary entry features of the development or designated pocket parks, as approved by the Planning and Development Services Department.
15.	That walls adjacent to open space areas and perimeter landscape setbacks shall contain, at a minimum, 50 percent open fencing materials such as wrought iron, split rail or farm fencing, as approved by the Planning and Development Services Department.
<i>Edge Treatment</i>	
16.	That the Sonoran Preserve Edge Treatment Guidelines found in Section 507 Tab A of the Phoenix Zoning Ordinance shall be applied to the segments of the development that abut South Mountain Park.
<i>Building Height &amp; Elevations</i>	
17.	That development shall be limited to 1 story and 18 feet in height within 150 feet of the boundary of South Mountain Park as approved by the Planning and Development Services Department.
18.	That development along Mineral Road, Dobbins Road, 14th Street and 7th Street, except for development within development area #1, shall be limited to 1 story and 18 feet in height within 150 feet of Mineral Road, Dobbins Road, 14TH Street and 7TH Street rights-of-ways, as approved by the Planning and Development Services Department.
19.	That conceptual elevations shall be approved by the Planning Hearing Officer

	through the public hearing process prior to Planning and Development Services Department final site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Services Department.
20.	<p>That 75% of dwelling units within development areas 2 through 10 shall be limited to 1 story and 18 feet in height. The developer shall predetermine the location of the two-story lots prior to or concurrent with preliminary site plan approval for each development area as approved by the Planning and Development Services Department. Changes to the location of the designated two story units will be made through the site plan amendment process as long as the 75% minimum is maintained.</p> <p>Upon City Council approval of the Planning Hearing Officer application for conceptual one and two-story elevations (Stipulation #19), the 75% minimum one-story requirement is reduced to 50% for the subject development area(s).</p>
	<i>Fill</i>
21.	That retaining walls shall be limited to a height of 40 inches when located within 150 feet of the subdivision perimeter as approved by the Planning and Development Services Department.
22.	That prior to or concurrent with preliminary site plan approval for each phase of development, the Planning Hearing Officer shall administratively review and approve a conceptual grading and drainage plan. The review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Services Department. The conceptual grading and drainage plan shall demonstrate at a minimum the following:
	<p>a. Minimal use of fill materials. Fill materials should not exceed an exposed height of 3 feet above existing grade. Exceptions to this standard may be considered where additional fill is needed to compensate for undulations in the existing golf course topography. Further consideration for additional fill may be given in combination with a restriction of building height of proposed homes to a maximum of 18 feet or other measures aimed at mitigating the proposed finished grade's impacts on the surrounding properties.</p>
	<p>b. Cross sections and elevations illustrating proposed finished grade shall be provided and shall be in general conformance to the "Cut and Fill Exhibit" date stamped February 22, 2010.</p>
	<p>c. That the finished grade level of pads within the first row of lots within 100 feet of Dobbins Road, 7th Street, 14th Street and Mineral Road right-of-way shall be no more than three feet above the adjacent existing street grade level as measured from the top of the existing curb, or the existing pavement</p>

	grade level for Mineral Road only, as approved by the Planning and Development Services Department.
d.	That the areas highlighted in the topography map date stamped July 1, 2010, shall not be utilized to establish finished grade level for the surrounding topography within 100 feet. The highlighted areas shall be graded to a finished grade level that shall be consistent with the average grade level of the surrounding topography (100 feet) as approved by the Planning and Development Services Department.
<i>Archaeology</i>	
23.	That the developer shall conduct archaeological monitoring and/or testing within all areas of the development that lie within development areas, three, four, six, eight, nine, and ten prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist.
24.	That 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.
<i>Streets</i>	
25.	That 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 Services Department. All improvements shall comply with all ADA accessibility standards. Any improvements on Dobbins Road adjacent to Dobbins Creek subdivision shall include an overlay of rubberized asphalt as approved by the Street Transportation Department.
26.	That a 10-foot wide sidewalk easement shall be dedicated along Dobbins Road, as approved by Planning and Development Services Department.
27.	That the applicant shall submit a traffic impact study to the Street Transportation Department and the Planning and Development Services Department prior to preliminary site plan review of the first phase of development. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development Services Department and the Street Transportation Department. Any improvements on Dobbins Road adjacent to Dobbins Creek subdivision shall include an overlay of rubberized asphalt as approved by the Street Transportation Department.
28.	That no vehicular access shall be provided along 14th Street, as approved by the Planning and Development Services Department.

29.	That Dobbins Road shall be improved with an overlay of rubberized asphalt to be installed concurrent with the first phase of construction in development areas 1, 2, 5 or 7 as approved by the Street Transportation Department.
<i>Maintenance</i>	
30.	That the developer shall preserve and maintain the existing 30-foot landscape setbacks and berms along the north, east and west boundaries of the property in a condition consistent with the attached photographs date stamped April 8, 2010, during the interim period, between closure of the golf course and commencement of construction in adjacent development areas. Construction is defined as the approval of a final grading plan and issuance of a grading permit, as approved by the Planning and Development Services Department.

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