

REPORT OF PLANNING COMMISSION ACTION  
December 7, 2017

ITEM NO: 13	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	PHO-2-17--Z-152-03-8
Location:	Approximately 995 feet west of the southwest corner of 43rd Avenue and Baseline Road.
Request:	Modification of Stipulation No. 6 regarding general conformance to site plan date stamped May 2, 2013; modification of Stipulation No. 8 regarding a minimum 800 square foot landscaped entry feature on both sides of the main entry along 43rd Avenue; modification of Stipulation No. 21 regarding 45-foot wide lots not exceeding 15 percent of the residential lots; and modification of Stipulation No. 22 regarding remaining lots to be a minimum of 60-feet in width. Acreage: 76.86
Applicant:	Reid Butler, Butler Housing Company, Inc
Owner:	Dr. R. Lines, Wells-85, LLC
Representative:	Reid Butler, Butler Housing Company, Inc

**ACTIONS:**

Staff Recommendation: Approved, with modifications and an additional stipulation as recommended by the Planning Hearing Officer.

Village Planning Committee (VPC) Recommendation:

**Laveen** 9/11/2017 Approved, with modifications. Vote: 8-3.

Planning Commission Recommendation: Approved as recommended by the Planning Hearing Officer, with a modification.

Motion discussion:

Commissioner Glenn made a MOTION to approve PHO-2-17-8--Z-152-03-8 as recommended by the Planning Hearing Officer, with a modification to Stipulation 22 (previously 21) to allow 60% 45-foot wide lots.

Commissioner Montalvo seconded the motion.

Motion details – Commissioner Glenn made a MOTION to approve PHO-2-17-8--Z-152-03-8 as recommended by the Planning Hearing Officer, with a modification to Stipulation 22 (previously 21) to allow 60% 45-foot wide lots.

Maker: Glenn

Second: Montalvo

Vote: 6-0

Absent: Katsenes and Shank

Opposition Present: No

### Findings:

1. The proposed request for lot width modification is consistent with the surrounding single family subdivisions. The zoning district and development option does allow 45-foot wide lots. The developed single-family residential subdivision to the east and west both have a mixture of lot widths throughout them.
2. The applicant is proposing to keep the density of the overall development as approved with the 3.5 dwelling units per acre from the last stipulation modification request. The intensity of the development will be harmonious with the adjacent subdivisions.
3. The applicant has maintained the entry feature stipulation for both sides of the entrance to the residential subdivision to continue the character of the Laveen area.

### Stipulations:

#### COMMERCIAL DEVELOPMENT

1. That the commercial portion of the site plan and elevations shall be reviewed and approved administratively by the Planning Hearing Officer.
2. That street entry ways at Baseline Road and 43rd Avenue, neighborhood parks, perimeter fencing and other appropriate public areas shall follow the guidelines outlined in the Laveen Residential Design Guidelines for the Preservation of Rural Character, created February 19, 2004, updated September 30, 2008, as approved or modified by Planning and Development Department.
3. That four-sided architecture of the commercial buildings shall include architecturally articulated facades such as offsets, recesses, textural changes, window fenestrations, pilasters, and shadow boxes as approved by the Planning and Development Department.
4. That a minimum 75-foot by 75-foot landscaped entry feature, or equivalent area, shall be provided with a 3-dimensional art feature that exemplifies the rural/agricultural character of Laveen at the entrance to the commercial development from Baseline Road as approved by the Planning and Development Department. The proposed art feature shall be shown to the Laveen Village Chairperson or his/her representative for approval. The enhanced landscape feature shall include a turf area and provide plant types from the following list:
  - a) Trees: pecan, Arizona ash, evergreen elm, heritage live oak, sycamore, or other similar canopied trees.
  - b) Shrubs: myrtle (true, dwarf, and/or twisted), pomegranate, AZ yellowbells, bush lantana, Mexican honeysuckle, primrose jasmine, or other similar shrubs.
  - c) Accents: deer grass, wild sunflowers, superb, canyon and firecracker penstemon, golden columbine or other similar accents.
  - d) Vines: White Landy Banks Rose, common trumpet creeper, coral vine, pink trumpet

vine, and primrose jasmine or other similar vines.

5. The location of any gasoline pumps shall be located at the east end of the property along Baseline Road and away from residential lots.

#### RESIDENTIAL DEVELOPMENT

6. The development shall be in general conformance to the site plan date stamped ~~May 2, 2013~~, AUGUST 4, 2017, and shall have a maximum 3.5 dwelling units per acre, with specific regard to street layout.
7. That residences along 43rd Avenue, Baseline Road, and the southern boundary of the property shall have a building height of one level no greater than 24 feet for a minimum of 50% of the lots.
8. That a minimum 800 square feet landscaped entry feature shall be provided on-both sides of the main entry into the residential development located along 43rd Avenue as approved by the Planning and Development Department.
9. That adjacent to each residential street curb shall be a consistent tree pattern design as approved by Planning and Development Department. The trees shall be a minimum 1½" caliper and selected from the Acceptable Plants for Sonoran and Vegetative Areas as described in the February, 2004 draft Laveen Residential Design Guidelines for the Preservation of Rural Character, if approved. The homebuilder will be responsible for installation of the trees and the home buyer shall be responsible for maintaining the trees.
10. That a 9-foot wide landscaped tract containing a minimum of 1½ inch caliper shade tree and five-shrubs shall be provided at an average of 20 feet on center along the street of each corner lot. The home builder shall be responsible for installation, and the homeowner association shall be responsible for maintenance of the common landscaped area.
11. All residential perimeter fencing shall follow the Laveen Residential Design Guidelines for the Preservation of Rural Character, created February 19, 2004, the Planning and Development Department. The residential perimeter fencing along 43rd Avenue shall be offset 2 feet for a minimum of every 250 feet.
12. That the visible portion of houses on lots adjacent to Baseline Road and 43rd Avenue shall be designed in general conformance with the rural character from the draft Laveen Residential Design Guidelines for the Preservation of Rural Character February, 2004.

#### STREETS

13. That right-of-way totaling 65 feet shall be dedicated for the south half of Baseline Road, or as may otherwise be modified by the Planning and Development Department.
14. That right-of-way totaling 50 feet shall be dedicated for the west half of 43rd Avenue, or as may otherwise be modified by the Planning and Development Department.
15. There shall be no vehicular access to South Mountain Avenue along the southern

boundary of the development as approved by the Planning and Development Department because there is 33 feet of land that is not owned by the applicant. South Mountain Avenue may be built between 43rd Avenue and 45th Avenue as a public right-of-way by the city or others in the future.

16. 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 City. All improvements shall comply with all ADA accessibility standards.
17. That the applicant shall complete and submit the Developer Project information Form for the MAG Transportation Improvement Program and Street Transportation Department, (602) 262-6193. This form is a requirement of the EPA to meet clean air quality requirements.

#### TRAILS

18. Dedicate a 30-foot multi-use easement and construct a 10-foot wide multi-use trail along Baseline Road in accordance with city of Phoenix MAG Supplemental Specifications Section 429, as approved by the Parks and Recreation Department.
19. THE DEVELOPER SHALL EXTEND TRACT D FROM THE ADJACENT SUBDIVISION ON THE WEST FROM 45<sup>TH</sup> DRIVE TO 43<sup>RD</sup> AVENUE.

#### LAVEEN VILLAGE PLANNING COMMITTEE ADDITIONAL STIPULATIONS

1920. That the applicant agrees to the ordinance requirement of 15-foot rear yard setbacks and 10-foot (1-story) and 15-foot (2-story) side yard setbacks along South Mountain Avenue.
2021. That the applicant agrees to the ordinance requirement of 15-foot rear yard setbacks, and 10-foot (1-story) and 15-foot (2-story) side yard setbacks along 43rd Avenue.
2122. That 45-foot wide lots shall not exceed ~~45%~~ 60% of the residential lots.
2223. The remaining lots shall be a minimum of ~~60-foot~~ 55-FOOT lot width.
2324. That the minimum open space for the development shall be a minimum of 14.8%.
2425. That the minimum landscape setback along any wall on 43rd Avenue shall be 25 feet.
2526. That the commercial property shall be in specific conformance to the site plan dated September 17, 2004 (attached) as approved by the Planning and Development Department. The developer shall provide vehicular access from 45th Avenue to the commercial site.
2627. That the final residential plat shall be reviewed as part of the Planning and Development Department process.
2728. That the final commercial plat and elevations shall be reviewed as part of the Planning and Development Department process.

- 2829. That the final landscape package shall be reviewed as part of the Planning and Development Department process.
- 2930. That the chairperson of the Laveen Village Planning Committee shall be asked as part of the Planning Hearing Officer (PHO) process if the Village Planning Committee would like to review the request prior to the PHO hearing.
- 3031. That the elevations, site plan, perimeter fence plan, landscape plan, and comprehensive trail plan shall be provided to the Laveen Village Planning Committee for review and comment prior to administrative approval by the Planning Hearing Officer.
- 32. THE DEVELOPER SHALL RECORD A NOTICE TO 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.

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