

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Bradley Wylam, Planner I, Assisting

April 20, 2022

ITEM NO: 3	
	DISTRICT 7
SUBJECT:	
Application #:	PHO-1-22--Z-58-19-7
Location:	Northeast corner of 6th Avenue and Broadway Road
Zoning:	PUD RSIO
Acreage:	10.90
Request:	1) Modification of Stipulation 6 regarding undergrounding and relocation of existing irrigation facilities.
Applicant:	Prince Twumasi
Owner:	Chicanos Por La Causa
Representative:	Prince Twumasi

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval.

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee opted not to hear this request.

DISCUSSION:

Prince Twumasi, representative with Chicanos Por La Causa, provided an overview of the subject site and original rezoning case. He stated that a Salt River Project (SRP) canal is located on the south and west side of the subject site and the relocation of the canal is delaying the development of the PUD approved for the site. He stated that the land transfer is underway regarding the relocation of the canal and the applicants have reached an agreement with the City of Phoenix and SRP staff. He stated that the proposed modification is to require the completion of the land transfer prior to obtaining the Certificate of Occupancy, which would allow the development to be built approximately two years quicker than what would be possible without modification.

Adam Stranieri, Planning Hearing Officer, stated that he received confirmation of the coordination between the City of Phoenix and SRP. He stated that the modification is recommended to be approved.

FINDINGS:

- 1) The request to modify Stipulation 6 regarding the timing of relocations for existing irrigation facilities is recommended to be approved. The applicant noted that they have conducted extensive outreach and coordination with City of Phoenix and Salt River Project (SRP) staff regarding the timeline for relocations and land transfers and the proposed modification is acceptable to both groups. Street Transportation Department staff confirmed this and made no further recommendations regarding the proposal.

STIPULATIONS:

1.	An updated Development Narrative for the Broadway and Central PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 14 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 24, 2020 as modified by the following stipulations.		
	a.	Page 1:	
		1)	Add "Hearing Draft: April 24, 2020"
		2)	Add "City Council adopted: [Insert Adoption date]"
	b.	Page 7:	
		1)	Replace text with the following: Where buildings are adjacent to a pedestrian accessway, a frontage type shall be required. If frontage does not contain an entrance, units adjacent to a pedestrian accessway shall be designed with windows and/or balconies overlooking the accessway.
	c.	Pages 6 and 7:	
		1)	Add the following text in Section 1304 General Site Development Standards: The western most paseo may deviate from the 3rd Avenue alignment up to 175 feet if the deviation is marked by pedestrian oriented wayfinding; the southern most connection to Broadway Road shall be constructed after the SRP facility is buried and easements issues resolved, no later than the development of the townhomes depicted on Exhibit E.

	d.	Page 8:
		1) Replace text in Section 1309 Landscape Standards, 6th Avenue and Pueblo Avenue frontage, with the following: Shall be planted with large canopy, single trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings installed between the sidewalk and the buildings. The trees allowed in the planting area may be adjusted or removed based on input from SRP or the Water Services Department.
		2) Replace text in Section 1309 Landscape Standards, Broadway Road, with the following: The sidewalk and tree diagram contained in Exhibit C of this PUD shall apply. Planting details are provided in Section 1312 character areas of this table. The trees allowed in the planting area may be adjusted based on input from SRP or the Water Services Department; however, the requirement for trees shall not be removed.
	e.	Replace Exhibit E with the Site Plan date stamped May 21, 2020.
2.	The developer shall provide a total of 32 feet of paving with curb, gutter, a minimum five-foot wide sidewalk and streetlighting along Pueblo Avenue and facilitate the pavement along the “out parcel” (APN 113-05-045). If the developer is unable to procure the “out parcel” for the local street pavement requirement, the development shall not have access along the entirety of Pueblo Avenue except for one combined access point for emergency and refuse collection only at the eastern limits of the property, as determined by Planning and Development and Street Transportation Departments.	
3.	The developer shall dedicate 25 feet of right-of-way for the south half of Pueblo Avenue, as approved by the Planning and Development Department.	
4.	The developer shall dedicate a 14-foot Sidewalk Easement along Broadway Road, for the entire length of the development, to accommodate a detached sidewalk and shade trees adjacent to the sidewalk, as approved by the Planning and Development and Street Transportation Departments.	

5.	The developer shall dedicate 5 feet of right-of-way for the east half of 6th Avenue, as approved by the Street Transportation Department.
6.	Existing irrigation facilities along 6th Avenue and Broadway Road are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facilities. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval . A CERTIFICATE OF OCCUPANCY FOR THE DEVELOPMENT.
7.	The developer shall provide enhanced internal pedestrian circulation with a primary access point at the intersection of 6th Avenue and Broadway Road. The access point shall be enhanced with a minimum 700 square foot landscaped area planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover and a bollard light path or lighted art element visible from the perimeter of the site. The above shall be 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.	The applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, to set up a meeting to discuss the requirements of the statement/study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
10.	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.
11.	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.

12.	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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