

ATTACHMENT F

REPORT OF PLANNING COMMISSION ACTION September 1, 2022

ITEM NO: 12	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-45-22-8 (Continued from August 4, 2022)
Location:	Southeast corner of 59th Avenue and Dobbins Road
From:	S-1 (Approved C-2 HGT/WVR PCD)
To:	C-2 HGT/WVR DNS/WVR
Acreage:	39.74
Proposal:	Mixed-use development
Applicant:	Matrix at Dobbins
Owner:	Tyson Family, LTD, et al.
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Laveen 7/11/2022 Continued. Vote: 8-0.

Laveen 8/8/2022 Approval, per Addendum A, with modifications and an additional stipulation.
Vote: 6-3.

Planning Commission Recommendation: Approval, per the Laveen Village Planning Committee recommendation with a modification and an additional stipulation.

Motion Discussion:

Commissioner Gorraiz made a MOTION to approve Z-45-22-8, per the Laveen Village Planning Committee recommendation, without the last stipulation, going back to the August 8, 2022 stipulation, and require that if anything is changed on that corner, moving it from commercial to residential, then it has to go back to the Village Planning Committee, with an enhanced process, rather than just to a Planning Hearing Officer review.

Commissioner Boyd asked for confirmation that they were going to use the language that the developer had on an exhibit that said that the amenities were being constructed.

Ms. Racelle Escolar (staff) asked for clarification on the motion. She asked if Commissioner Gorraiz meant Stipulation No. 2 when he referenced the last stipulation.

Commissioner Gorraiz responded yes and to go with the previous stipulation for the August 8 site plan.

Ms. Escolar stated that the August 8 stipulation is a separate stipulation (Stipulation No. 1). She asked if he wanted to delete Stipulation No. 2 and add a stipulation to require that any future Planning Hearing Officer applications for Lot 1, as depicted on the site plan date stamped August 8, 2022, shall go to the Village Planning Committee for recommendation, and include enhanced notification to require that all property owners within 600 feet of the subject site be

notified and also all neighborhood organizations registered with the City, that are within one mile radius of the subject site, will also be notified.

Commissioner Gaynor SECONDED.

Commissioner Boyd wanted clarification and asked if they were considering the stipulation that the applicant had proposed.

Mr. Tate stated that the applicant was asking for deletion of the part of the stipulation that referenced the building of the commercial shell. The remainder of the stipulation language would still apply. That is what they are requesting, as it was written on the exhibit.

Ms. Escobar explained that if Commissioner Gorraiz agrees, then the motion should be amended to not delete Stipulation No. 2, but rather to modify Stipulation No. 2, per the applicant's request. They can then use the language that the applicant had on his exhibit.

Commissioner Gorraiz agreed to amend his MOTION to approve Z-45-22-8, per the Laveen Village Planning Committee recommendation, modify Stipulation No. 2 per the applicant's request, and add a stipulation as read into the record by staff for the Village Planning Committee review and enhanced notification.

Commissioner Gaynor agreed with the amendment and SECONDED the motion.

Motion details: Commissioner Gorraiz made a MOTION to approve Z-45-22-8, per the Laveen Village Planning Committee recommendation, modify Stipulation No. 2 per the applicant's request, and add a stipulation as read into the record by staff for the Village Planning Committee review and enhanced notification.

Maker: Gorraiz
Second: Gaynor
Vote: 7-0
Absent: Busching and Simon
Opposition Present: No

Findings:

1. The development is consistent with the Phoenix General Plan Land Use Map designations of Mixed-Use and Preserves/Commercial.
2. The proposed development is appropriate at this location given its proximity to the Loop 202 Freeway and will create a buffer between lower density residential uses to the east and the transportation corridor along the Loop 202 Freeway.
3. A portion of the proposal will provide high quality multifamily residential developments which will help alleviate the housing shortage in Phoenix and provide residents with an alternative housing option.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped ~~June 30, 2022~~ JULY 7, 2022 AUGUST 8, 2022 and elevations date stamped ~~May 27, 2022~~

AND JULY 8, 2022, as modified by the following stipulations and approved by the Planning and Development Department.

2. ~~IMPROVEMENTS FOR THE TOWN CENTER, AS IDENTIFIED ON THE SITE PLAN DATE STAMPED AUGUST 8, 2022, SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF ANY (INCLUDING TEMPORARY) CERTIFICATE OF OCCUPANCY FOR ANY DEVELOPMENT IN THE SECOND RESIDENTIAL LOT DEVELOPED (EITHER LOT 2 OR LOT 3), WHICHEVER IS DEVELOPED LATER. IMPROVEMENTS SHALL INCLUDE ALL STREETS AND PARKING AROUND THE TOWN CENTER; ALL COMMON LANDSCAPING, WALKWAY LANDSCAPE FURNITURE, AND COMMON AREA FEATURES; A MINIMUM OF THREE AMENITIES, WHICH MAY INCLUDE, BUT ARE NOT LIMITED TO OPEN SEATING, AN INTERACTIVE WATER FEATURE, AND KIDS' PLAYGROUND WITH SHADE STRUCTURE; AND AT LEAST ONE OF THE COMMERCIAL BUILDINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.~~
IMPROVEMENTS FOR THE TOWN SQUARE, AS IDENTIFIED ON THE SITE PLAN DATE STAMPED AUGUST 8, 2022, SHALL BE COMPLETED PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR THE LAST PHASE OF RESIDENTIAL DEVELOPMENT (LOT 2 OR LOT 3). IMPROVEMENTS SHALL INCLUDE ALL STREETS AND PARKING AROUND THE TOWN SQUARE, ALL COMMON LANDSCAPE, WALKWAY LANDSCAPE FURNITURE AND COMMON AREA FEATURES, AND A MINIMUM OF THREE AMENITIES (WHICH MAY INCLUDE, BUT IS NOT LIMITED TO OPEN SEATING, INTERACTIVE WATER FEATURE, AND KIDS PLAYGROUND WITH SHADE STRUCTURE), BUT EXCLUDING THE TWO COMMERCIAL BUILDINGS AND THEIR SUPPORTING FEATURES SUCH AS LEASED OUTDOOR DINING AREAS AND THEIR HARDSCAPE AND LANDSCAPE FEATURES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
2. The primary entryway to Dobbins Road shall include a minimum of 250 square feet of
3. enhanced landscaping, planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year.
3. A minimum of one milkweed shrub, or other native nectar species, shall be planted for
4. every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
4. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the
5. east side of 59th Avenue and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
5. The developer shall construct a minimum 5-foot-wide detached sidewalk and minimum
6. 11-foot-wide landscape area located between the back of curb and sidewalk along the south side of Dobbins Road, as approved by the Planning and Development Department.
 - a. Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.

- b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
- ~~6.~~ 7. The developer shall construct a minimum 5-foot-wide detached sidewalk along the west side of 57th Avenue with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 2-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 50% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
- ~~7.~~ 8. The developer shall construct a minimum 5-foot-wide detached sidewalk along the east side of 59th Avenue with a minimum 11-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 3-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
- ~~8.~~ 9. The developer shall dedicate a minimum of 55-feet of right-of-way and construct the south side of Dobbins Road, as approved by the Planning and Development Department.
- ~~9.~~ 10. The developer shall dedicate a minimum of 30-feet of right-of-way and construct the west side of 57th Avenue connecting at the 56th Glen alignment, as approved by the Street Transportation Department.
- ~~10.~~ 11. The developer shall dedicate a minimum of 55-feet of right-of-way and construct the east side of 59th Avenue, as approved by the Planning and Development Department.
- ~~11.~~ 12. The developer shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is approved. Signal warrant analysis shall be included for 59th Avenue and Dobbins as part of the Study. The

developer shall be required to provide a minimum 25% contribution towards future traffic signal if not warranted for construction by the TIA.

- 42. Existing irrigation along Dobbins Road are to be undergrounded and relocated outside
- 13. City of Phoenix right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- 43. The developer shall construct all streets within and adjacent to the development with
- 14. 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.
- 44. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details
- 15. P1258 and P1260) constructed along eastbound Dobbins Road, as approved by the Planning and Development Department.
- 45. The right-of-way shall be dedicated, and a bus stop pad (City of Phoenix Standard Details
- 16. P1258 and P1260) constructed along northbound 59th Avenue, as approved by the Planning and Development Department.
- 46. In the event archaeological materials are encountered during construction, the developer
- 17. 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.
- 47. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207
- 18. 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.

LOT 1 (TOWN CENTER AND RETAIL PLAZA)

- 48. The maximum building height shall be 30 feet.
- 19.
- 49. A minimum of ~~25%~~ 28% of the gross area of Lot 1 shall be retained as open space, as
- 20. approved by the Planning and Development Department.
- 20. All uncovered surface parking lot areas for employees and customers shall be
- 21. landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve minimum 25% shade at maturity, as approved by the Planning and Development Department.
- 24. A minimum of 14 bicycle parking spaces shall be provided through Inverted U and/or
- 22. artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
- 23. **ANY FUTURE PLANNING HEARING OFFICER APPLICATIONS FOR LOT 1, AS DEPICTED ON THE SITE PLAN DATE STAMPED AUGUST 8, 2022, SHALL GO TO**

THE VILLAGE PLANNING COMMITTEE FOR RECOMMENDATION, AND INCLUDE ENHANCED NOTIFICATION TO REQUIRE NOTIFICATION OF ALL PROPERTY OWNERS WITHIN 600 FEET OF THE SUBJECT SITE AND ALL NEIGHBORHOOD ORGANIZATIONS REGISTERED WITH THE CITY WITHIN ONE MILE OF THE SUBJECT SITE.

LOT 2 (MULTIFAMILY APARTMENTS)

- ~~22.~~ The development shall adhere to the R-3A zoning district standards, as modified by the
~~23.~~ following stipulations, and approved by the Planning and Development Department.
24.
- ~~23.~~ Lot 2 shall be limited to a maximum of ~~207~~ 214 units.
~~24.~~
25.
- ~~24.~~ A minimum of ~~9%~~ 10% of the gross area of Lot 2 shall be retained as open space, as
~~25.~~ approved by the Planning and Development Department.
26.
- ~~25.~~ A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or
~~26.~~ artistic racks located near building entrances, amenities, and/or open space and installed
27. per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved
by the Planning and Development Department. Artistic racks shall adhere to the City of
Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

LOT 3 (HORIZONTAL MULTIFAMILY)

- ~~26.~~ The development shall adhere to the R-3 zoning district standards, as modified by the
~~27.~~ following stipulations, and approved by the Planning and Development Department.
28.
- ~~27.~~ Lot 3 shall be limited to a maximum of ~~497~~ 181 units.
~~28.~~
29.
- ~~28.~~ A minimum of ~~12%~~ ~~13%~~ 11% of the gross area of Lot 3 shall be retained as open space,
~~29.~~ as approved by the Planning and Development Department.
30.
- ~~29.~~ A minimum of 10 bicycle parking spaces shall be provided through Inverted U and/or
~~30.~~ artistic racks located near building entrances, amenities, and/or open space and installed
31. per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved
by the Planning and Development Department. Artistic racks shall adhere to the City of
Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

This publication can be made available in alternate format upon request. Please contact
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