

Attachment C- PHO Summary

Planning Hearing Officer Summary of September 19, 2018

Application Z-45-12-7 (PHO-1-18)

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REPORT OF PLANNING HEARING OFFICER ACTION

Teresa Hillner, Planner III, Hearing Officer

Jazmine Braswell, Planner I, Assisting

September 19, 2018

ITEM 2

DISTRICT 7

SUBJECT:

Application #: Z-45-12-7 (PHO-1-18)
Zoning: R1-6 and C-2
Acreage: 29.54
Location: Southwest corner of 67th Avenue and Broadway Road
Proposal:

- 1) Modification of Stipulation No. 1 regarding general conformance to site plan date stamped October 24, 2012.
- 2) Modification of Stipulation No. 2 regarding 10% minimum open space.
- 3) Modification of Stipulation No. 3 regarding maximum number of lots to not exceed 135.
- 4) Deletion of Stipulation No. 4 regarding decorative pavers, stamped or colored concrete or another materials in the pedestrian pathways when crossing street the intersection.
- 5) Modification of Stipulation No. 5 to identify the location of decorative pavers, stamped or colored concrete or another materials in the pedestrian connections between shops A, B and C pads and A, B, C and D.
- 6) Modification of Stipulation No. 6 regarding all sidewalks shall be detached.
- 7) Deletion of Stipulation No. 8 regarding rear property line wall of lot numbers 44 through 54 and 67 through 89 consisting of a four foot block wall with two feet additional view fencing.

Applicant: Maritage Homes C/O Sara Andrews
Owner: DNZ Holdings LLC
Representative: EPS Group INC C/O Jorge Villasenor

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approved with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: At its September 11, 2018 meeting, the Estrella Village Planning Committee recommended approval with a modification by a 7-0 vote.

DISCUSSION:

Mr. Jorge Villasenor with EPS Group Inc, representing the applicant, stated the original rezoning case was approved in 2013 with C-2 and R1-6 at the southwest corner of 67th Avenue and Broadway Road. The site was never developed to the original stipulated site plan and is currently being used as a dairy farm. The new proposed site plan was revised after the August Estrella Village Planning Committee meeting. The committee members made several comments regarding the design and layout of the site. They revised the site plan to accommodate the comments made by the Village Planning Committee. They have reduced the number of lots from 144 to 140, increased open space to 16% to comply with Stipulation No. 2, and revised the site plan to incorporate comments regarding the detached sidewalks. They went back to the Estrella Village Planning Committee in September to present the revised site plan based off the comments from the August meeting, and their requests were approved unanimously.

Mr. Villasenor stated the request to modify Stipulation No. 1 regarding general conformance to the 2012 site plan. They are proposing a new site plan date stamped September 13, 2018. They are no longer requesting to modify Stipulation No. 2. The request to modify Stipulation No. 3 is because they are proposing 140 lots, not 135 lots. Stipulation No. 4 is regarding cross walks. The previous site plan had very specific design standards and locations of the decorative materials. This new site plan is proposing stamped concrete at the new entrances to the subdivision. The modification of Stipulation No. 5 is only to add clarification and identify the decorative materials will be on the commercial portion of the rezoning boundary. Stipulation No. 6 was heavily discussed at the Village Planning Committee meeting. Now they are no longer requesting modification to this stipulation. The modification to Stipulation No. 8 is due to the change in site plan, the lot numbers have changed. They will still provide view fencing however; it will be on the new lot numbers.

Ms. Teresa Hiller asked if the intent of the stipulation providing view fences adjacent to open spaces is being met.

Mr. Villasenor stated yes, that is correct. Mr. Villasenor stated the original site plan had all of the open space and playground in a round-about in the middle of the subdivision. The new proposed site plan still provides a playground but the open space is in multiple locations throughout the subdivision. There will be a pedestrian pathway connecting the open space located on the north end of the subdivision, to the open space and playground located on the southern end of the subdivision.

Ms. Hillner stated there was a lot of discussion at the August Village Planning Committee meeting and she appreciated the revisions made to the site plan based off those comments. She stated she was going to deny the request as filed and approve approved with modifications and additional stipulations.

FINDINGS:

1. The original zoning case had a more elaborate that included a traffic roundabout and included the commercial development. A new home builder has purchased the property and designed a new site plan to address market demands.
2. After an initial discussion with the Village Planning Committee where concerns about the requests were identified, the applicant revised the site plan and modified their requests. They lowered the requested number of units, maintained the amount of open space, retained the detached sidewalks, and modified street layout to accommodate a continuous open space/trail system in the subdivision.
3. The original site plan is being retained for the commercial portion of the site. This site plan will provide some guidance as to how the commercial development will occur.

DECISION:

The Planning Hearing Officer recommended denial as filed and approved with modifications and additional stipulations.

STIPULATIONS:

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| 1. | The development shall be in general conformance with the site plan date stamped October 24, 2012 FOR THE COMMERCIAL PORTION AND SEPTEMBER 13, 2018 FOR THE RESIDENTIAL PORTION, as approved by the Planning and Development Department. |
| 2. | A minimum of 16% open space shall be provided, as approved by the Planning and Development Department. |
| 3. | The maximum number of lots shall not exceed 135140, as approved by the Planning and Development Department. |
| 4. | All sidewalks, trails, or pedestrian pathways when crossing street intersection CROSSINGS AT THE PROJECT ENTRIES OR AS SHOWN ON THE SITE PLAN shall be constructed of decorative pavers, stamped or colored concrete, or another material different than the primary paving material, as approved by the Planning and Development Department AND STREET TRANSPORTATION DEPARTMENT. |
| 5. | FOR COMMERCIAL DEVELOPMENT ONLY - A sidewalk/pedestrian path constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles, shall be provided to allow pedestrian connections between shops A, B and C to pads A, B, C and D, as approved by the Planning and Development Department AND STREET TRANSPORTATION DEPARTMENT. |

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| 6. | All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and shall include a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the HOA. |
| 7. | The perimeter walls adjacent to Broadway Road and 67th Avenue shall include material and textural differences, such as stucco and/or split face block with a decorative element, as approved by the Planning and Development Department. |
| 8. | The rear property line walls of lots number 44 thru 54 and 67 thru 89 61 THROUGH 69 shall consist of a four-foot block wall with two feet additional view fencing, as approved by the Planning and Development Department. |
| 9. | Drive through facilities shall be located a minimum 100 feet from any residential district, as approved by the Planning and Development Department. |
| 10. | The residential development ground signs shall be monument style and not exceed six feet in height, as approved by the Planning and Development Department. |
| 11. | Right-of-way shall be dedicated and a bus bay (P1256-1) constructed at 67th Avenue as approved by the Planning and Development Department. |
| 12. | Right-of-way totaling 55 feet shall be dedicated for the south half of Broadway Road and construct improvements to a CM Section, as approved by the Planning and Development Department. |
| 13. | Right-of-way totaling 50 feet shall be dedicated for the west half of 67th Avenue and construct improvements to a D Section, as approved by the Planning and Development Department. |
| 14. | 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 approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards. |
| 15. | Complete a Red Border Letter to notify ADOT of development adjacent to its freeway corridor and submit it to Alan Hilty in the Street Transportation Department 602-262-6193, with a copy to the Traffic Engineer and Civil Plans Reviewer. |
| 16. | THE RIGHT OF WAY SHALL BE DEDICATED AND A BUS STOP PAD CONSTRUCTED ON EASTBOUND BROADWAY ROAD WEST OF 67 TH AVENUE. FINAL PLACEMENT OF BUS STOP PAD SHALL REQUIRE APPROVAL FROM PUBLIC TRANSIT DEPARTMENT. BUS STOP PAD SHALL BE COMPLIANT WITH CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET. |

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| 17. | THE RIGHT OF WAY SHALL BE DEDICATED AND A BUS STOP PAD CONSTRUCTED ON SOUTHBOUND 67 TH AVENUE SOUTH OF BROADWAY ROAD. BUS STOP PAD SHALL BE COMPLIANT WITH CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET. BUS STOP PAD SHALL BE PLACED FROM INTERSECTION OF 67 TH AVENUE AND BROADWAY ROAD ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1258. |
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