

Attachment D

REPORT OF PLANNING COMMISSION ACTION June 6, 2019

ITEM NO: 9	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-7-19-8
Location:	Southeast corner of 59th Avenue and South Mountain Avenue
From:	S-1 and S-1 (Approved R-2)
To:	R-3
Acreage:	13.96
Proposal:	Multifamily residential
Applicant:	Andy Jochums, Beus Gilbert, PLLC
Owner:	Rodney and Donna Family Trust and DEKA Company, LLC; and Phoenix Union High School District 210
Representative:	Paul Gilbert, Beus Gilbert, PLLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Laveen 5/13/2019 Approval, per the staff recommendation with additional stipulations. Vote: 12-0.

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

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-7-19-8, per the Laveen Village Planning Committee recommendation, with the additional stipulation as read into the record and to replace Stipulation No. 15 as read into the record by staff and modify Stipulation No. 16 as requested by the applicant.

Maker: Shank
Second: Montalvo
Vote: 9-0
Absent: None
Opposition Present: No

Findings:

1. The request is consistent with the General Plan Land Use Map designation of Residential 15+ dwelling units per acre that exists on the majority of the site.
2. The proposed development is appropriate located adjacent to an arterial street and is consistent with the scale of development in the surrounding area.
3. As stipulated, the proposal is consistent with the character of existing development in the surrounding area by providing for enhanced building design and pedestrian

amenities.

Stipulations:

1. The developer shall provide a minimum of 10% common area open space.
2. Building elevations shall meet the following design criteria, as approved by the Planning and Development Department:
 - a. All roof materials shall be flat clay or concrete tile or other similar materials. No asphalt shingles, shakes or metal shingles are allowed.
 - b. All exterior walls of the dwelling units shall utilize stucco, stone and/or masonry. No wood or aluminum sidings are allowed.
3. The sidewalks along 59th Avenue and South Mountain Avenue shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
4. 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.
5. The developer shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department prior to preliminary site plan approval.
6. The right-of-way shall be dedicated and a bus bay (P1262) shall be constructed along northbound 59th Avenue, north of the main project entry, as approved by the Planning and Development Department.
7. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along South Mountain 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 Parks and Recreation and Planning and Development Departments.
8. The developer shall provide a minimum of 5 inverted-u bicycle racks installed near the common area open space, as approved by the Planning and Development Department.
9. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
10. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
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. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED JANUARY 24, 2019, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
13. THE DEVELOPMENT SHALL BE LIMITED TO A MAXIMUM OF 147 DWELLING UNITS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
14. THE DEVELOPMENT SHALL PROVIDE GATED ACCESS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
15. ~~THE PRELIMINARY LANDSCAPE PLAN, ENTRY MONUMENT PLAN AND PERIMETER FENCE PLANS SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS FOR STIPULATION MODIFICATION PRIOR TO PRELIMINARY SITE PLAN APPROVAL.~~
15. THE LAVEEN VILLAGE PLANNING COMMITTEE SHALL BE SENT NOTIFICATION REGARDING THE PRELIMINARY SITE PLAN REVIEW MEETING.
16. THE DEVELOPER SHALL PROVIDE 3 TO 4-INCH CALIPER TREES PLANTED EVERY 20 FEET ON CENTER, OR EQUIVALENT GROUPINGS, ALONG THE SOUTHERN PROPERTY LINE, ~~TO BE PLANTED PRIOR TO THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY,~~ AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
17. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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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