

REPORT OF PLANNING HEARING OFFICER ACTION
Teresa Hillner, Planner III, Hearing Officer
Jazmine Braswell, Planner I, Assisting

May 16, 2018

ITEM 4

DISTRICT

SUBJECT:

Application #: Z-61-13-8
Zoning: R-2
Acreage: 5.75
Location: Southwest corner of 44th Street and Palm Lane
Proposal: 1) Modification of Stipulation No. 1 regarding general conformance of site plan date stamped July 1, 2014.
2) Modification of Stipulation No. 2 regarding general conformance of elevations date stamped April 15, 2014.
3) Deletion of Stipulation No. 4 regarding a 20-foot landscape setback along the southern 133 feet of the west property line.
4) Deletion of Stipulation No. 5 regarding a 20-foot landscape setback along the north property line.
5) Deletion of Stipulation No. 11 regarding the restriction of access along Palm Lane to left-in/ right-out only.
Applicant: D.R. Horton - Blake Davis
Owner: Palm Lane 44th, LLC - David Goldstein
Representative: Jason Morris – Withey Morris, PLC

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer took this case under advisement. On June 20, 2018, the Planning Hearing Officer took the case out from under advisement and approved with additional stipulations.

Village Planning Committee (VPC) Recommendation: At their May 1, 2018 meeting, the Camelback East Village Planning Committee recommended approval with three additional stipulations by a 12-0 vote.

DISCUSSION:

Mr. Jason Morris, representing the applicant, stated the Camelback East Village Planning Committee had a unanimous vote of approval at their meeting. The applicant is proposing a density that is less than that allowed in this zoning district. The concerns at the Village Planning Committee meeting were more in regarding the traffic than a density issue. The original site plan in 2014 had access off 44th Street as well as to Palm Lane. The new proposed site plan shows access to Palm Lane and now there is a concern of what the traffic impact would be to Palm Lane. The first site plan submitted

that was filed with this PHO case showed access to both Palm Lane and Coronado Road. There was neighborhood concern therefore, a revised site plan was submitted to show emergency access only on Coronado Road. At the Village Planning Committee, there was significant discussion of what the best traffic pattern would be and there was some pushback on eliminating the Coronado Road access. The thought process was a 44th Street access point was not the best option for entering a small gated community from an arterial street. It would slow down traffic heading south on 44th Street. The traffic volumes are significantly higher on 44th Street than they are on Palm Lane and Street Transportation Department's perspective should go from an arterial, to a collector, then into a neighborhood. There is traffic light at 44th Street and Palm Lane and a bus stop midway along to 44th Street, putting an access point onto 44th Street is not the best traffic management. The Village Planning Committee suggested they return to their first site plan submitted that shows access onto Palm Lane and Coronado Road. This would divide the traffic in the subdivision to have two points to access to the site. The Village Planning Committee stipulated that the Coronado Road access point would serve as an exit only. Mr. Morris also stated they are not asking to change any of the landscaping or detached sidewalks.

Ms. Teresa Hillner asked Mr. Morris if the Street Transportation Department or the traffic reviewers from the Planning and Development Department have reviewed the new proposed site plan with regards to the mechanism they are going to use to restrict the traffic to turn eastbound only.

Mr. Morris said yes, they have two options of how they are going to restrict the turning from Coronado Road onto 44th Street. The options would be more than just signage, it would also include a physical impediment.

Mr. Paul T. Gregenio stated he is not sure what they are proposing to development on this site. He is hoping they would build a church, park or cemetery. He stated several years ago, there was a church on this site. He attended a neighborhood meeting and it was mentioned that duplexes would be an allowed use on this site. He wishes there were more trees and grass on the site.

Ms. Mary Anne Hammond stated her and her husband has lived in this neighborhood for 55 years. They are happy a nice development is planned for this site. However, they are hoping the main access to this development would be off 44th Street. When they stated their support of the original rezoning case in 2014, it was because the site plan at that time had access onto 44th Street. They appreciate the new proposed plan was the Coronado access point as an exit only. They would also like it to be an emergency only access point.

Ms. Hillner asked if there is a break in the medians on 44th Street so vehicles can go northbound on 44th Street from Coronado Road.

Ms. Hammond stated it is very hard to go northbound from Coronado. They usually go around and go up to 43rd Street or make a U-turn to go northbound on 44th Street. She

also stated that Stipulation No. 11 is also a safety feature. She is concerned with the school children walking to the nearby school. She asked that if Stipulation No. 11 is deleted, can the developer install a traffic calming island on Palm Lane.

Ms. Hillner stated there was a petition of opposition from the residents of Palm Lane that was submitted.

Ms. Morris stated Ms. Hammond has been a diligent member of the neighborhood that has been trying to help come up with a solution to the traffic concerns. He stated the Street Transportation Department perspective is that an access point onto 44th Street would be problematic and increases the potential of rear end collisions. Palm Lane is a collector street and has a signalized intersection. It is also significantly below capacity of that allowed on a collector street. It is currently operating at about 50 percent capacity therefore, the additional vehicular traffic from the proposed development would add an insignificant amount of traffic volume on Palm Lane. He stated the Village Planning Committee stipulated additional traffic mitigation at the entrance of the development. This development is going to be a gated subdivision therefore, it will slow down traffic when they are approaching the subdivision.

Ms. Hillner stated that since the development is going to be gated, there might be requirements in regards to stacking lengths at the entrances. She questioned that if someone decides to use the Coronado exit to go north on 44th Street, is the access point too close to the intersection and what will be the traffic impact.

Mr. Morris stated that depends on if it is a peak hour or not. Without peak hour traffic, it might be a manageable turn because of breaks in the traffic patterns due to the traffic light at Palm Lane.

Ms. Hillner stated she wants to make sure the site plan she stipulates to, has met all the technical requirements. She stated she is going to take the case under advisement to speak with the traffic reviewer about the access and safety.

FINDINGS:

1. This site has been vacant for some time. The most recent approval was for a 63-unit townhouse development. This request will reduce the overall number of units to 46 and be constructed as duplexes.
2. The relocation of the driveway from 44th Street to Palm Lane creates more efficient traffic movement on site as well as along 44th Street. 44th Street is a major arterial roadway within the city that carries a significant amount of traffic. There is also a bus stop on this property along 44th Street. By moving the driveway from 44th Street to Palm Lane, the potential conflict between the pedestrians, traffic turning into the development, as well as traffic travelling along 44th Street is reduced.

3. There were significant concerns about traffic exiting onto Palm Lane and the pedestrians using Palm Lane. There is an additional stipulation that will required signage identifying this situation as residents are leaving the gated community.
4. Discussions about a secondary access point along Coronado Road were held at the Village Planning Committee meeting as well as this hearing. Since the roadway is a cul-de-sac to the west, physical barriers and signage restricting traffic to eastbound only will be added.

DECISION:

The Planning Hearing Officer took this case under advisement. On June 20, 2018, the Planning Hearing Officer took the case out from under advisement and approved with additional stipulations.

STIPULATIONS:

1. The development shall be in general conformance with the site plan date stamped APRIL 6, 2018~~July 1, 2014~~, as approved or modified by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped JANUARY 10, 2018~~April 15, 2014~~, except as modified by the following stipulations and approved by the Planning and Development Department.
3. The property owner shall provide a 10-foot landscape setback along the western 598 feet of the south property line as approved by the Planning and Development Department.
4. ~~The property owner shall provide a 20-foot landscape setback along the southern 133 feet of the west property line as approved by the Planning and Development Department.~~
5. ~~The property owner shall provide a 20-foot landscape setback along the north property line as approved by the Planning and Development Department.~~
56. Palm Lane access shall be gated and limited to secure access only as approved by the Planning and Development Department
67. The property owner shall provide sidewalk and incidentals on Coronado Road for the length of the property as approved by the Planning and Development Department.
- .78. The property owner shall remove all unused driveways and replace any broken or out-of-grade curb, gutter, and sidewalk on all streets as approved by the Planning and Development Department.

89. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines as approved by the Planning and Development Department.
940. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney
- ~~11. The driveway access along Palm Lane shall be restricted to left in/right out only as approved by the Planning and Development Department.~~
1042. The sidewalk along the 44th Street frontage shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb as approved by the Planning and Development Department.
1143. The applicant shall dedicate an easement and construct a transit pad/bus shelter in accordance with Standard Detail P1260 along the west side of 44th Street, south of Palm Lane, as approved by the Planning and Development Department.
12. THE DEVELOPER SHALL PROVIDE SPEED BUMPS, SPEED HUMPS, TRUNCATED DOMES, OR OTHER SIMILAR ALTERNATIVES AT BOTH THE INGRESS AND EGRESS POINTS OF THE DRIVEWAY ALONG PALM LANE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- 13 THE DEVELOPER SHALL PROVIDE CONSPICIOUS SIGNAGE INDICATING THE PRESENCE OF CHILDREN AND MAINTENANCE OF LOW SPEEDS VISIBLE TO BOTH EASTBOUND AND WESTBOUND TRAFFIC ALONG PALM LANE, AS APPROVED BY THE PLANNING HEARING OFFICER.
14. THE DEVELOPER SHALL PROVIDE A DRIVEWAY AND SIGNAGE ALLOWING EASTBOUND-ONLY EGRESS ALONG CORONADO ROAD.

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