

## Attachment F

### REPORT OF PLANNING COMMISSION ACTION January 6, 2022

ITEM NO: 9	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-31-21-8 (Continued from 12/2/2021)
Location:	Southeast corner of 19th Avenue and South Mountain Avenue
From:	S-1
To:	R1-10
Acreage:	49.52
Proposal:	Single-family detached residential community
Applicant:	Providence Homes
Owner:	Newcastle Development, LLC
Representative:	Benjamin Tate, Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, per the Addendum B Staff Reports.

Village Planning Committee (VPC) Recommendation:

**South Mountain** 11/9/2021 Continued to December 14, 2021. Vote: 9-2.

**South Mountain** 12/14/2021 Approval, per the Addendum A Staff Report with a modified stipulation. Vote: 7-3 (1 abstained).

Planning Commission Recommendation: Approval, per the Addendum B Staff Report with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-31-21-8, per the Addendum B Staff Report, with the additional stipulation as read into the record.

Maker: Busching  
Second: McCabe  
Vote: 8-0  
Absent: Shank  
Opposition Present: Yes

#### **Findings:**

1. This proposed development provides a housing option that is consistent with development patterns in the general area.
2. As stipulated, the proposed development is generally consistent with design policies and the intent of the Rio Montaña Area Plan.
3. This proposed development is appropriately located along an arterial street, 19th Avenue, which connects to Baseline Road where transit service is present.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped ~~November 2, 2021~~ ~~NOVEMBER 24, 2021~~, JANUARY 6, 2022, as modified by the following stipulations and approved by the Planning and Development Department with specific regard to the following:
  - a. Lots 1 through 28 shall be a minimum of 75 feet in width.
  - b. All other lots shall be a minimum of ~~55~~ 60 feet in width.
  - c. Portions of lots 28 and 29 may be modified to accommodate any required canal frontage standards.
  - d. The location of the open space areas.
  - e. A minimum of ~~47~~ 16 percent of the gross site area shall be provided as open space.
  - f. A minimum building setback of 150 feet, exclusive of fencing or entry features, shall be provided along the western perimeter property line along 19th Avenue.
2. The required landscape setbacks shall be planted with minimum 50-percent 2-inch caliper and 50-percent 3-inch caliper large canopy drought-tolerant trees, 20 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
3. The maximum building height shall be limited to ~~two stories and 30 feet, except that lots 1 through 53, 82, 83, 108, 109, 159 and 160 as depicted on the site plan date stamped November 2, 2021, shall be limited to one story and 20~~ 22 feet.
4. All lots within the development shall be subject to Single-Family Design Review, including 75-foot wide lots, as approved by the Planning and Development Department.
5. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
  - b. A minimum of 50 percent of the elevations for each floor plan shall provide a covered front porch in the front yard with a minimum of 60 square feet in area at a depth of at least six feet. No porch shall terminate within the plane of a door or window.
  - c. Pitched roofs shall be provided on all building elevations.

6. The development shall be in general conformance with the fencing exhibit (landscape plan) and elevations date stamped October 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
  - a. Full open view fencing shall be utilized where an open space tract is adjacent to a canal.
  - b. Where view fencing is required by the Zoning Ordinance, a combination of solid masonry wall and view fencing may be utilized. The solid portion of the wall shall not exceed 4 feet in height.
  - c. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall include minimum 3-foot offsets.
  - d. Perimeter walls bounding the rear yard property lines of residential lots along South Mountain Avenue shall be limited to a maximum of 5 feet solid and topped with open view fencing, as approved by the Planning and Development Department.
7. Project entry drives along 19th Avenue and South Mountain Avenue shall be constructed of decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
8. Project entry drives shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.
9. A minimum system of pedestrian connections shall be provided, as described below and as approved by the Planning and Development Department:
  - a. A system of pedestrian connections to/between via the most direct route:
    - (1) Amenity areas.
    - (2) Sidewalks.
    - (3) Pedestrian path connecting the northern and southern portions of the site via a centralized pathway.
    - (4) The common open space tract along the southeast corner of 19th Avenue and South Mountain Avenue shall contain a minimum 8-foot wide pedestrian pathway that connects the development with the sidewalk at 19th Avenue or South Mountain Avenue near the street intersection. This pathway shall be constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material. The landscaped tract shall contain minimum 2-inch caliper shade trees planted a minimum of 25 feet on center or equivalent groupings, along both sides of the pedestrian pathway.
    - (5) A minimum 8-foot wide pedestrian pathway shall connect the development with the multi-use trail along the Western Canal. This pathway shall be provided within an average 30-foot wide landscape

tract and constructed of decomposed stabilized granite, decorative pavers, stamped or colored concrete, or similar alternative material.

- (6) THE DEVELOPER SHALL PROVIDE A PEDESTRIAN ACCESS GATE TO THE WESTERN CANAL ALONG THE SOUTHEASTERN PROPERTY LINE AND A PEDESTRIAN GATE ACCESS ALONG BOTH 19TH AVENUE AND SOUTH MOUNTAIN AVENUE. THE PEDESTRIAN GATES ACCESS SHALL BE CONNECTED TO THE INTERNAL PEDESTRIAN PATHWAYS BY ACCESSIBLE SIDEWALKS.
10. No more than 50 percent of the landscape areas within common areas or 10 percent of the net development area whichever is less, should be planted in turf or high-water use plants. Turf areas should be located only in the common open space areas, including retention basins, as approved by the Planning and Development Department. This requirement does not apply to landscaping located within private yards on individual lots.
11. ~~The following minimum shall be provided and dispersed throughout the development, as approved by the Planning and Development Department:~~ OPEN SPACE AREAS SHALL BE IN GENERAL CONFORMANCE WITH THE LANDSCAPE PLAN DATE STAMPED NOVEMBER 24, 2021, JANUARY 6, 2022, AS MODIFIED BY THE STIPULATIONS AND INCORPORATING THE FOLLOWING AMENITIES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARMTENT:
  - a. Tot lot with shade equipment;
  - b. Two picnic areas each with a barbeque grill, shade ramada and a picnic table;
  - c. Four benches or seating features; and
  - d. Garden amenity of no less than a combined 1,000 square feet in size.
12. All sidewalks along 19th Avenue shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.
  - b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

13. All sidewalks along South Mountain Avenue shall be detached with a minimum five-foot wide landscape 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 single-trunk large canopy drought-tolerant shade trees planted 25 feet on center or in equivalent groupings that provide shade to a minimum 75 percent AT MATURITY.
- b. Drought tolerant vegetation to achieve 75 percent live coverage AT MATURITY.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- 14. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the east side of 19th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.
- 15. The developer shall dedicate minimum 50 feet of right-of-way and construct the east side of 19th Avenue, as approved by the Planning and Development Department.
- 16. The developer shall provide the following dedications and construct the south half of South Mountain Avenue in the following manner, as approved by the Planning and Development Department:
  - a. Thirty feet of right-of-way between 19th Avenue and 17th Drive.
  - b. Forty-four feet of right-of-way east of 17th Drive extending to the eastern boundary of the subject site.
- 17. The developer shall underground all existing overhead utility lines adjacent to the site.
- 18. The developer shall provide conduit and junction boxes at the southeast corner of 19th Avenue and South Mountain Road for future traffic signal equipment, as approved by the Street Transportation Department.
- 19. Existing irrigation facilities along 19th Avenue and South Mountain Avenue shall be undergrounded and/or relocated outside of City 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.
- 20. 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.
- 21. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development~~(s)~~ the existence and operational characteristics of agricultural ~~and farming activities~~ USES. THESE DOCUMENTS MUST ADVISE PURCHASERS THAT, UNDER SECTION 3-112(E), ARIZONA REVISED STATUTES, THE CITY OF PHOENIX MAY NOT DECLARE AN AGRICULTURAL OPERATION CONDUCTED ON FARMLAND TO BE A NUISANCE IF THE AGRICULTURAL ACTIVITY USE IS LAWFUL, CUSTOMARY, REASONABLE, SAFE AND NECESSARY TO THE AGRICULTURE INDUSTRY. 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 PRIOR TO RECORDATION.

22. PRIOR TO FINAL SITE PLAN APPROVAL, THE PROPERTY OWNER SHALL RECORD DOCUMENTS THAT DISCLOSURE TO PURCHASERS OF PROPERTY WITHIN THE DEVELOPMENT THE EXISTENCE AND OPERATIONAL CHARACTERISTICS OF THE PHOENIX REGIONAL POLICE ACADEMY GUN RANGE. THE FORM AND CONTENT OF SUCH DOCUMENTS SHALL BE REVIEWED BY THE CITY PRIOR TO RECORDATION.
- ~~22.~~ The property owner shall record documents that disclose the existence, and  
23. operational characteristics of Phoenix Sky Harbor 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.
- ~~23.~~ The developer shall grant and record an avigation easement to the City of Phoenix  
24. Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
- ~~24.~~ The developer shall provide a No Hazard Determination for the proposed development  
25. from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
- ~~25.~~ In the event archeological materials are encountered during construction, the  
26. developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archeologist, and allow time for the Archeology Office to properly assess the materials.
27. THE DEVELOPER SHALL DEDICATE RIGHT-OF-WAY AND CONSTRUCT ONE BUS STOP PAD ALONG NORTHBOUND 19TH AVENUE TOWARDS THE SOUTH END OF THE SITE. THE BUS STOP PAD SHALL BE CONSTRUCTED ACCORDING TO CITY OF PHOENIX STANDARD DETAIL P1260 WITH A MINIMUM DEPTH OF 10 FEET.
28. **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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