

Attachment D

REPORT OF PLANNING COMMISSION ACTION August 6, 2020

ITEM NO: 13	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-8-20-5
Location:	Approximately 220 feet north of the northeast corner of 23rd Avenue and West Royal Palm Road
From:	C-O
To:	R-3A
Acreage:	3.24
Proposal:	Multifamily residential
Applicant:	Kris Losch
Owner:	Matthew R. Luxenberg Family Trust
Representative:	Kris Losch

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Mountain 6/17/2020 Approval, per the staff recommendation. Vote: 14-0.

Planning Commission Recommendation: Approval, per the North Mountain Village Planning Committee recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Shank made a MOTION to approve Z-8-20-5, per the North Mountain Village Planning Committee recommendation with an additional stipulation as read into the record.

Maker: Shank
Second: McCabe
Vote: 7-0
Absent: Gorraiz, Howard
Opposition Present: No

Findings:

1. The development, as stipulated, advances the purpose and intent of several core values from the Phoenix General Plan including policy documents such as the Transit Oriented Development Strategic Policy Framework, the Tree and Shade Master Plan, Complete Streets Guidelines, and the Comprehensive Bicycle Master Plan.

2. The development, as stipulated, is appropriate at this location due to its compatibility with the surrounding land uses and proximity to a future high-capacity transit line.
3. The proposed development is consistent with the Neighborhood Center Place Type from the City's Transit Oriented Development Strategic Policy Framework.

Stipulations:

1. For any subsequent phases of development beyond the adaptive reuse of the building depicted on the site plan date stamped March 27, 2020, the following stipulations shall apply, as approved or modified by the Planning and Development Department:
 - a. The stipulations contained in Stipulation Nos. 2 through 15 shall also apply to any subsequent phases of development.
 - b. All units adjacent to 23rd Avenue shall have an individual pedestrian entrance oriented to the public street and be connected to the public sidewalk by a direct pedestrian pathway.
 - c. All units adjacent to 23rd Avenue shall have a porch or patio, described as follows and as approved by the Planning and Development Department:
 - i. Porches shall have a minimum dimension of six feet in depth by a width of no less than 50 percent of the total unit; be oriented to the public right-of-way; have a unit entrance; and have a direct pedestrian connection to the public sidewalk.
 - ii. Patios shall have a minimum dimension of eight feet in depth by a width and a minimum size of 64 square feet; be enclosed on each side by a low wall or fence not to exceed 36 inches in height; be oriented to the public right-of-way; have a unit entrance; and have a direct pedestrian connection to the public sidewalk.
 - d. All garage doors shall be screened by buildings from the exterior of the site and have decorative embellishments such as window panels, color and added materials for the pillars surrounding the door.
2. All elevations of the buildings shall contain architectural embellishments and detailing, such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
3. The public sidewalk along 23rd Avenue shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work

with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- a. Large canopy, single-trunk shade trees shall be placed 25 feet on center or in equivalent groupings. Twenty-five percent of the required trees shall be a minimum 4-inch caliper and 75 percent shall be a minimum 3-inch caliper.
 - b. At tree maturity, the trees shall shade the sidewalk to a minimum 75 percent
 - c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
4. The developer shall provide a pedestrian thoroughfare between the public sidewalk, and the required amenities contained in the first phase, as described below and as approved by the Planning and Development Department.
 - i. A bollard light path or lighted art feature to accentuate the entrance of the pedestrian thoroughfare from the intersection with the public sidewalk.
 - ii. The pedestrian thoroughfare shall be shaded to a minimum 75 percent by shade trees, vegetative trellis, and/or architectural shade. Trees shall be a minimum 2-inch caliper.
 - iii. A minimum 5-foot-wide landscape area shall be provided along both sides of the pedestrian thoroughfare. In areas where the pedestrian thoroughfare passes between buildings, the landscape area may be reduced to 3 feet in width (or 6 feet on one side only).
 - iv. A maximum of two drive aisle crossings shall be permitted and where crossings occur, the pathway shall be constructed to visually contrast with the parking and drive aisle surfaces.
5. Surface parking shall be setback a minimum of 30-feet or screened 100 percent by buildings from 23rd Avenue, as approved by the Planning and Development Department.
6. Surface parking areas shall include the below, as approved by the Planning and Development Department:
 - a. A minimum 10 percent of the total surface parking and vehicular circulation area shall be vegetated.
 - b. Landscape planters located at the end of each row of parking and approximately every 100 linear feet.

- c. Landscape planters shall be a minimum width of eight feet and a minimum 120 square feet for a single row of parking, and a minimum 240 square feet for a double row of parking.
 - d. Landscape planters shall be planted with minimum five-gallon drought tolerant shrubs to achieve 75 percent ground cover. If trees are to be included, they shall be minimum 2-inch caliper shade trees
- 7. No solid perimeter wall greater than 36 inches in height, situated between the plane of the buildings and the 23rd Avenue right of way, shall be permitted.
- 8. There shall be an average landscape setback of 25 feet measured from the east property line with the minimum setback being 5 feet. The landscape setback shall be planted with shade trees placed 20 feet on center or in equivalent groupings with 25 percent of the trees being a minimum 4-inch caliper and 75 percent being a minimum 3-inch caliper, as approved by the Planning and Development Department.
- 9. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. A bicycle repair station ("fix it station") shall be provided and be maintained near the southern-most vehicular access in an area of high visibility, convenient pedestrian access, and available from the public sidewalk.
 - b. "Secure/Covered Facilities" and/or "Outdoor/Covered Facilities" shall be provided for residents at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. Appropriate facilities are defined in Appendix K or the Comprehensive Bicycle Master Plan.
 - c. Artistic style bicycle racks with capacity for a minimum of six bicycles for guests shall be located near the primary entrance to the building depicted on the site plan date stamped March 27, 2020. The artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.
- 10. A minimum of 10 percent of the gross project shall be retained as open space, exclusive of required landscape setbacks, which shall be shaded to a minimum 50 percent by minimum 2-inch caliper large canopy shade trees, as approved by the Planning and Development Department.
- 11. 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.
- 12. 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.

13. 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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