




## City of Phoenix

PLANNING & DEVELOPMENT DEPARTMENT

**To:** Mario Paniagua  
Deputy City Manager

**Date:** June 22, 2020

**From:** Alan Stephenson   
Planning and Development Director

**Subject:** ITEM 87 ON THE JUNE 24 FORMAL AGENDA – REQUEST TO MODIFY  
STIPULATIONS FOR Z-69-19-5 (G-6711)

Item 87, Rezoning Application Z-69-19-5, is a request to rezone 18.02 acres located at approximately 315 feet west of the northwest corner of Ball Park Boulevard and Camelback Road from S-1 (Ranch or Farm Residence District) and S-1 SP (Ranch or Farm Residence District, Special Permit) to R-2 (Multifamily Residence District) to allow multifamily residential. The request is a companion case to GPA-MV-1-19-5, a request to amend the General Plan Land Use Map for 80.98 acres located at the northwest and northeast corners of Ball Park Boulevard and Camelback Road; and the northwest corner of 107th Avenue and Camelback Road from Park/Open Space-Public and Residential 3.5 to 5 dwelling units per acre to Residential 10 to 15 dwelling units per acre and Mixed Use.

On May 13, 2020, the Maryvale Village Planning Committee heard the rezoning and general plan amendment request and recommended denial of the zoning and general plan amendment by a 12 to 0 vote.

On June 4, 2020 the Planning Commission recommended approval, per the staff recommendation with modifications to Stipulation Nos. 9, 10 and 11 to add the word "public" when referencing pedestrian pathways and access by a vote of 9-0.

In addition, the applicant has requested modification to Stipulation No. 4 to provide additional clarity regarding the calculation of the open space area required for the site.

Staff is supportive of the requested change and recommends approval of Z-69-19-5 per the revised stipulations below and adoption of the related Ordinance G-6711.

### **Recommended Stipulations:**

1. All elevations shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, stone veneer wainscoting, decorative gable pipe details, decorative wooden shutters, or similar features, as approved by the Planning and Development Department.
2. All garage doors shall have decorative embellishments, including but not limited to, window panels, raised or recessed panels, architectural trim surrounding the door, separated single garage doors, accent lighting, and/or a

trellis feature, as approved by the Planning and Development Department.

3. All new perimeter walls shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
4. A minimum of 7.5 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.  
**AMOUNTS PROVIDED ABOVE THE MINIMUM 5% REQUIRED BY SECTION 703.B FOR MULTIFAMILY DEVELOPMENT MAY COUNT TOWARDS ANY DENSITY BONUS CALCULATIONS PERMITTED BY THE UNDERLYING ZONING DISTRICT.**
5. All required open space amenity areas shall be shaded to a minimum 75 percent, as approved by the Planning and Development Department.
6. All private pedestrian pathways including sidewalks shall be shaded to a minimum 50 percent, as approved by the Planning and Development Department.
7. A minimum of eight bicycle parking spaces located near building entrances shall be installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
8. All public sidewalks shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb. Minimum two-inch caliper shade trees shall be planted a minimum of 20 feet on center or equivalent groupings on both sides of the sidewalk with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
9. The developer shall provide a PUBLIC pedestrian pathway and gate at the northwest corner of the site to provide a connection to the future trail west of the site, as approved by the Planning and Development Department.
10. The developer shall provide PUBLIC pedestrian access to Ball Park Boulevard at the northeast corner of the site, as approved by the Planning and Development Department.
11. The developer shall provide PUBLIC pedestrian access to Camelback Road, as approved by the Planning and Development Department.
12. The driveway along Camelback Road shall prohibit left turn ingress, as approved by the Street Transportation Department. Full access may be provided upon approval of an engineering analysis by the Street Transportation Department.
13. The developer shall install traffic calming measures such as speed humps or



- speed cushions across the property's drive aisles to increase the safety of pedestrians on the sidewalks by slowing down vehicles circulating, entering and exiting the property, as approved by the Planning and Development Department.
14. Sidewalk crossings, 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 across driveways, as approved by the Planning and Development Department.
  15. 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, as approved by the Planning and Development Department.
  16. The property owner shall record documents that disclose the existence, and operational characteristics of Glendale Municipal 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, and in accordance with State law requiring airport disclosure.
  17. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
  18. The developer shall grant and record an avigation easement in favor of the City of Glendale in the form submitted to the City of Phoenix.
  19. The developer shall provide a No Hazard Determination for the proposed development 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.
  20. Prior to issuance of a final certificate of occupancy, the developer must install a sign (approximately 8 inches by 11 inches in size) within the development's sales/leasing office that is visible to prospective renters or purchasers which discloses the proximity of the Glendale Municipal Airport and increased frequency of overflight and related aircraft noise, as approved by the Aviation Department.
  21. The indoor noise levels shall not exceed a decibel day night-level (DNL) of 45 decibels and that along with the building plans submitted for Phoenix Building Construction Code compliance review to the Planning and Development Department there shall be a sealed and signed analysis by an engineer

licensed in Arizona with a proficiency in residential sound mitigation or noise control. The engineer shall note in the analysis that the building design is capable of achieving the required Noise Level Reduction.

22. 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.

Approved: Mario Paniagua 6/23/20  
Mario Paniagua, Deputy City Manager Date