

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION November 2, 2023

ITEM NO: 14	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-42-23-7
Location:	Approximately 1,700 feet south of the southeast corner of 63rd Avenue and Baseline Road
From:	CP/GCP
To:	C-2 HGT/WVR DNS/WVR and C-2
Acreage:	36.85
Proposal:	North portion: Multifamily residential community; South portion: Public school
Applicant:	Wendy Riddell, Berry Riddell, LLC
Owner:	Laveen Baseline, LLC
Representative:	Wendy Riddell, Berry Riddell, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Laveen 10/16/2023 Approval, per the staff recommendation with modifications and additional stipulations. Vote: 5-4.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report with a modification.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-42-23-7, per the Addendum A Staff Report with a modification to Stipulation No. 17, per the applicant's request.

Maker: Perez
Second: Vice-Chairman Gaynor
Vote: 9-0
Absent: None
Opposition Present: No

Findings:

1. The proposal will develop vacant property and provide a high quality multifamily residential development and help alleviate the housing shortage in Phoenix.
2. The proposal contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The proposal will provide increased shade which will help to reduce the urban heat island effect.
3. As stipulated, the proposed development will include development and design standards, such as enhanced architecture, landscaping, and open space to mitigate the impacts to the surrounding properties.

Stipulations:

1. The multifamily development shall be in general conformance with the elevations date stamped July 10, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. A MINIMUM OF 20% OF THE BUILDING ELEVATIONS SHALL HAVE ACCENT MATERIALS THAT INCLUDE BRICK VENEER, VERTICAL SIDING, METAL RAILING, AND WINDOW SHUTTERS.
3. THE MULTIFAMILY DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE TO ~~THE FUTURE SITE PLAN SUBMITTED BY THE APPLICANT~~ WITH THE SITE PLAN DATE STAMPED NOVEMBER 1, 2023, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- ~~2.~~ Residential development shall comply with R-4 PRD development standards.
- ~~4.~~
- ~~3.~~ A minimum 60-foot building setback shall be provided along the west perimeter of the site.
- 5.
- ~~4.~~ All required landscape setbacks shall be planted with 2-inch caliper large canopy, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
- 6.
- ~~5.~~ A minimum of ~~45~~18% of the gross (residential) site area shall be retained as open space.
- 7.
- ~~6.~~ A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
- 8.
- ~~7.~~ Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
- 9.
- ~~8.~~ All multifamily pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum 75% shade, as approved by the Planning and Development Department.
- 10.
- ~~9.~~ All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper size, single trunk, large canopy, drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
- 11.
- ~~10.~~ The multifamily development shall incorporate bicycle infrastructure as described below and approved by the Planning and Development Department.
- 12.
- a. A minimum of 30 bicycle parking spaces shall be provided on the multifamily development through inverted U and/or artistic racks dispersed throughout the site or in a secure room and installed per requirements of Section 1307.H. of the Phoenix Zoning Ordinance.

- b. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
 - c. A bicycle repair station ("fix it station") shall be provided on the multifamily development in close proximity to the Laveen Area Conveyance Channel. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
 - d. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
44.
13. Prior to final site plan approval, the developer shall include with the building plans submitted for Phoenix Building Construction Code compliance review, certification by a registered Professional Engineer or registered Professional Architect in the State of Arizona demonstrating the average indoor noise levels of the residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.
42.
14. A noise mitigating wall no less than six feet in height shall be provided along the Loop 202 freeway. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped design, as approved by the Planning and Development Department.
43.
15. A minimum of 20% of the required parking spaces for the multifamily development shall include EV Capable infrastructure- AND A MINIMUM FIVE EV INSTALLED SPACES SHOULD BE INSTALLED AT PRIOR TO CERTIFICATE OF OCCUPANCY OF ANY MULTIFAMILY BUILDING.
44.
16. A Traffic Impact Analysis shall be submitted to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
17. ~~A HAWK SHALL BE PROVIDED AT A PLACEMENT RECOMMENDED BY~~
AT THE TIME OF CONSTRUCTION OF THE SCHOOL, THE DEVELOPER SHALL FULLY DESIGN AND CONSTRUCT A TRAFFIC CONTROL DEVICE ALONG 63RD AVENUE, PER DESIGN PLANS SUBMITTED AND APPROVED BY THE ~~STREET TRANSPORTATION DEPARTMENT,~~ TRAFFIC SERVICES DIVISION AFTER RECEIVING THE TRAFFIC STUDY.
45.
18. A minimum 67-feet of right-of-way shall be dedicated for the east side of 63rd Avenue, adjacent to the development and including the frontage of APN 300-020-017C. Additional right-of-way dedications and improvements shall be provided as required by the TIS, and as approved by the Street Transportation Department.
46.
19. A minimum 5-foot-wide detached sidewalk and minimum 10-foot-wide landscape area located between the back of curb and sidewalk shall be constructed along the east side of 63rd Avenue.
47.
20. The east half of 63rd Avenue shall be constructed and expanded over the Laveen Area Conveyance Channel for a total curb-to-curb width of 74 feet.

- ~~18.~~ 21. A minimum 5-foot-wide attached sidewalk shall be constructed along the east side of 63rd Avenue over the Laveen Area Conveyance Channel to accommodate a "C" cross section designated roadway, as approved by the Planning and Development Department.
- ~~19.~~ 22. A 10-foot-wide Multi-Use Trail (MUT) shall be constructed along the southside of the Laveen Area Conveyance Channel, adjacent to the property. Improvements within the Laveen Area Conveyance Channel right-of-way shall include a Multi-Use Trail, landscaping, and other incidentals as required in 507 Tab A (II)(E)(2).
- ~~20.~~ 23. All pedestrian gates to the Laveen Area Conveyance Channel shall be lighted, as approved by the Planning and Development Department.
- ~~21.~~ 24. Three enhanced pedestrian connections shall be provided on the northern site boundary to allow for direct pedestrian access to the adjacent Laveen Area Conveyance Channel Multi-Use Trail. A minimum 8-foot-wide shaded pedestrian pathway consisting of decorative material such as brick, pavers or alternative material shall be constructed, as approved by the Planning and Development Department.
- ~~22.~~ 25. All streets within and adjacent to the development shall be constructed 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.
- ~~23.~~ 26. 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.
- ~~24.~~ 27. 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.
- ~~25.~~ 28. 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.
- ~~26.~~ 29. 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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