



## Village Planning Committee Meeting Summary

### Z-3-20-7

<b>Date of VPC Meeting</b>	November 10, 2020
<b>Request From</b>	S-1
<b>Request To</b>	R1-6
<b>Proposed Use</b>	Single-family residential uses
<b>Location</b>	Northwest corner of 15th Avenue and Vineyard Road
<b>VPC Recommendation</b>	Approval per staff recommendation presented in the staff report with the addition of Stipulation No. 19 and modification to Stipulation No. 3.
<b>VPC Vote</b>	<b>10-1</b> Motion passes; with members Alvarez, Brooks, Brownell, Brunson, Busching, Daniels, Holmerud, Shepard, Muriel Smith, and Trites in favor; Member Said in dissent.

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Mr. Bojorquez**, staff, provided a presentation on the request. He discussed the location of the site and context, where other properties of similar zoning exist in the area. He showed a map indicating the location of schools, parks, a community garden, food and retail stores in the general area of the site. He discussed the 2015 General Plan, Area Plans and other policy documents as these relate to this request. The conceptual site plan was shown, indicating the location of site access, open space areas and proposed multi-use trail. He shared conceptual front building elevations and noted that staff was not recommending a stipulation to require adherence with these elevations. He concluded the presentation by providing an overview of the stipulations presented in the staff report. Staff requested the addition of Stipulation No. 19 pertaining to an aviation easement as recommended by the Aviation Department:

*19. The developer shall grant and record an aviation 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.*

**Mr. John Fox**, applicant, introduced himself and provided an overview of the site location, proposal and noted that the property is presently vacant.

**Mr. Brownell** recommends relocating the open space area from the north of the site of Lot 1, to the location where Lot 11 is shown in the conceptual site plan. He stated that locating the open space areas next to St. Anne Avenue would make for a safer place that is more centrally located to discourage unwanted activities. He asked for clarification on the whether this was considered.

**Mr. Fox** responded that the natural flow of the drainage on the site is south to north, thus the open space areas were laid out in a manner that allows for the drainage to be captured as it flows in this direction. He added that he could look at modifications to the layout of the open space areas but would need to determine whether the City would allow him to place a drainage easement or retention over lots.

**Mr. Bojorquez** discussed the current development options under the R1-6 Zoning District. He added that other drainage requirements are addressed in the drainage ordinance and is not familiar with the extent of those requirements.

**Chairwoman Trites** opened the public comment portion of the meeting.

**Mr. Darrin Chapman**, with Tiger Mountain Foundation, stated that his foundation has a community garden across from this development. This community garden faces the subject site, including the open space area proposed along the north of the development. He added that the developer reached out to their foundation and they look forward on collaboration opportunities with them.

**Chairwoman Trites** closed the public portion of the meeting as no other requests to speak were received on this item. She then asked committee members for further discussion or a motion.

### **MOTION**

**Mr. Brownell** made a motion to approve the case per the staff recommendation presented in the staff report, adding Stipulation No. 19 as presented by staff and recommending a modification to the stipulations to require the relocation of the open space area proposed north of Lot 1, to the location where Lot 11 is presently shown in the conceptual site plan presented in the staff report. **Ms. Shepard** seconded the motion.

### **VOTE:**

**10-1** Motion passes; Member Said in dissent.

### **APPROVED STIPULATIONS:**

1. A minimum of 50 percent of the standard elevations provided shall depict front-loaded garages or carports setback a minimum of 5-feet from the front face of the home, as approved by the Planning and Development Department.

2. A minimum of 75 percent of the standard elevations provided shall include porches in the front yard at a minimum of 60 square feet in area and at a depth of at least 6 feet and enclosed on each side with fencing, as approved by the Planning and Development Department.
3. A-TWO centrally located open space areas shall be developed ALONG ST. ANNE AVENUE and include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:
  - a. One picnic area that includes one barbecue grill, one shade ramada and one picnic table.
  - b. One community garden of no less than a combined 1,000 square feet in area that will each include a garden tool library, irrigation, one seating bench and shade structures to enable year-round planting.
  - c. One pedestrian seating node containing at least one bench and located within close proximity to the trail along 15th Avenue.
  - d. Split rail fencing located along the perimeter of active open space areas near the street sides.
  - e. Open space areas shall provide a minimum 50 percent shade and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants). Trees shall also be placed to provide the maximum possible shade in gathering and seating amenity areas.
  - f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
4. A system of clearly defined, accessible pedestrian thoroughfares shall be provided, as described below and as approved by the Planning and Development Department:
  - a. Five-foot wide paths shall be provided, connecting the following via the most direct route:
    - 1) Amenity and gathering areas; and
    - 2) Adjacent public sidewalks.
  - b. Large canopy drought tolerant shade trees a minimum 2-inch caliper size, planted 20 feet on center or in equivalent groupings, shall be used to shade pedestrian paths, including trails and public sidewalks adjacent to open space areas, a minimum of 75 percent at full maturity. The shading requirement

shall not apply to the sidewalk along 15th Avenue.

- c. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
5. The perimeter landscape areas shall be planted with drought tolerant plant materials including large canopy shade trees a minimum of 2-inch caliper size, planted 20 feet on center, or in equivalent groupings, and five 5-gallon flowering shrubs per tree, providing seasonal interest and achieving a maximum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants, as approved by the Planning and Development Department. Trees located in perimeter landscape setbacks shall be oriented to provide the maximum shade possible to adjacent sidewalks, 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.
6. All 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.
7. The developer shall dedicate a 20-foot wide multi-use trail easement (MUTE) along 15th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
8. The development shall provide 3 different front yard plant palettes consisting of one large canopy accent tree, five shrubs and turf or ground cover, or offer evidence of a landscaping incentive package, as approved by the Planning and Development Department. Required front yard trees shall be a minimum of 2-inch caliper size and located to provide the maximum shade possible to the multi-use trail along 15th Avenue, 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.
9. The developer shall dedicate 30 feet of right-of-way for the west half of 15th Avenue, as approved by the Planning and Development Department.
10. The developer shall dedicate 30 feet of right-of-way for the north half of Vineyard Road, as approved by the Planning and Development.
11. The developer shall extend the adjacent right-of-way and street improvements for St. Anne Avenue at the west parcel limit to an intersection with 15th Avenue. The improvement requirements are a local street section, matching improvements to the west, within 50 feet of right-of-way, or as approved by the Planning and Development Department.

12. The developer shall provide 20 feet of paving, from the monument line to face-of-curb, on Vineyard Road and connect to the existing street improvements to the west, as approve by the Planning and Development Department. Development will be responsible for the full width pavement taper for the limits established during the signing and striping review connecting to the existing pavement to the east.
13. The developer shall provide a total of 24 feet of paving, 20 feet from the monument line to the face-of-vertical curb and 4 feet east of the monument line, on 15th Avenue connecting the existing street improvements to the north, as approved by the Planning and Development Department.
14. Existing irrigation facilities along 15th Avenue are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
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.
16. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners of the property. The form and contents of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
17. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.
18. 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.
19. THE DEVELOPER SHALL GRANT AND RECORD AN AVIATION 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.

### **STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

The South Mountain Village Planning Committee voted to recommend approval per the staff recommendation presented in the staff report, adding Stipulation No. 19 as presented by staff and recommending a modification to the stipulations to require the relocation of the open space area proposed north of Lot 1, to the location where Lot 11 is presently shown in the conceptual site plan presented in the staff report. The intent of this was to have an open space area on both sides of St. Anne Avenue, within this development, to promote safety in this space. The requested change by the South Mountain Village Planning Committee resulted in a modification to Stipulation No. 3 presented above.

After the November 10, 2020 meeting, staff learned that drainage on the site flows generally on a northward direction, thus relocating the open space area north of Lot 1 to the location where Lot 11 is shown in the conceptual site plan presented in the staff report, next to St. Anne Avenue, would require an engineering solution consistent with the City of Phoenix Drainage Ordinance to redirect the drainage on the site.