

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION June 6, 2024

ITEM NO: 13	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-113-23-3
Location:	Approximately 810 feet west of the northwest corner of 23rd Avenue and Townley Avenue
From:	C-O
To:	WU Code T5:5
Acreage:	7.20
Proposal:	Multifamily residential
Applicant:	Ric Toris, Earl & Curley, PC
Owner:	2445 West Dunlap, LLC
Representative:	Taylor C. Earl, Early & Curley, PC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Mountain 5/15/2024 Approval, per the staff recommendation with modifications, a deletion, an additional stipulation, and direction. Vote: 13-0.

Planning Commission Recommendation: Approval, per the North Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Jaramillo made a MOTION to approve Z-113-23-3 per the North Mountain Village Planning Committee recommendation.

Maker: Jaramillo
Second: Matthews
Vote: 8-0
Absent: Mangum
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Commercial, and the adopted Place type contained in the Transit Oriented Development Strategic Policy Framework.
2. As stipulated, the proposal supports efforts from various plans, policies, initiatives, such as the Housing Phoenix Plan, the Tree and Shade Master Plan, the Complete Streets Guidelines, the Comprehensive Bicycle Master Plan, the Transportation Electrification Action Plan, the Phoenix Climate Action Plan, Conservation Measures for New Development, and Transit Oriented Development Strategic Policy Framework.

3. The proposal will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. The site plan and conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to final site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. The development shall contain a minimum of one north-south public pedestrian accessway that complies with Section 1304.H. of the Phoenix Zoning Ordinance which shall be located approximately on the 25th Avenue alignment.
 - b. The building elevations along Townley Avenue shall contain a minimum of 10% premium materials such as brick, stone, metal, or other comparable materials.
2. A public pedestrian accessway shall be situated approximately (no less than 100 feet from) the 25th Avenue alignment to facilitate pedestrian and bicyclist travel toward the light rail station at 25th Avenue and Dunlap Avenue. The public pedestrian accessway shall be no less than 10 feet in width and comply with the following, as approved or modified by the Planning and Development Department.
 - a. Shall comply with ~~the standards contained in~~ Section 1304.H. of the Phoenix Zoning Ordinance.
 - b. A minimum of one continuous building frontage lining one side of the public pedestrian accessway for no less than 50% of the total distance.
 - c. Include no less than 45% of the required publicly accessible open space under Section 1304.G of the Phoenix Zoning Ordinance in or adjacent to the accessway.
 - D. SHALL INCLUDE SIGNAGE FOR WAYFINDING FROM TOWNLEY AVENUE TO THE STIPULATED PASEO WITHIN THE SITE.
3. The following ground-level activation shall be provided with some frontage on the 25th Avenue public pedestrian accessway or Townley Avenue, as approved or modified by the Planning and Development Department:
 - a. The ground floor shall include a minimum of 5,000 square feet of non-residential uses. Non-residential uses shall not include lobby, exercise, reception areas, or other similar uses intended for exclusive use by residents.
 - b. Five Live-Work units shall be provided. Live-Work units ~~shall~~ MAY be characterized as two-level units that are designed to allow for professional services or sale of goods (inside) Live-Work units shall have a storefront "frontage type" (outside). Live-Work Units shall be designed for small commercial entrepreneurs and/or professional servicers to live and work in their unit.

4. A minimum 6-foot-wide sidewalk detached from the back of curb by a minimum 8-foot-wide landscape area shall be constructed on the north side of Townley 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 the creation of a comfortable pedestrian environment.
 - a. Large canopy, single-trunk, drought-tolerant shade trees shall be planted 25 feet on center or in equivalent groupings.
 - b. Drought-tolerant shrubs and vegetative groundcovers shall be maintained at maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.
5. Within the sidewalk easement adjacent to the Townley Avenue right of way, there shall be a minimum of one foot candle illumination throughout the easement. Uniform lighting shall be placed along the entire easement to avoid bright high glare areas and low visibility dark areas.
6. A Traffic Impact Study shall be required for this development, and no preliminary approval of plans shall be granted until the City has reviewed and approved the study. The developer shall be responsible for funding and construction of all recommendations of the study.
7. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, curb ramps on all streets and upgrade all off-site improvements to comply current ADA guidelines.
8. 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.
9. Along Townley Avenue, there shall be no continuous frontage type exceeding 200 linear feet. For the purpose of this requirement, "common entry" frontage types do not interrupt the above-referenced measurement because they provide street access to upper units.
10. A minimum of four building entries shall be provided with the building frontage design along Townley Avenue to provide direct pedestrian access from upper and interior units to adjacent sidewalks, as approved by the Planning and Development Department.
11. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, bus stops, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.
12. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit spaces near entrances of buildings and

installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.

- c. A minimum of one bicycle repair stations ("fix it stations") shall be provided and maintained along public pedestrian accessway or Townley Avenue.
- d. Standard electrical receptacles shall be installed for a minimum of 10% of the required bicycle parking spaces for electric bicycle charging capabilities.
- 13. A minimum 5% of the required parking spaces shall be EV capable. A minimum of five of the required parking spaces shall have EV infrastructure installed.
- 14. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
- ~~15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (Smart Controller or similar) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.~~
- ~~16. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees at maturity, or a combination thereof.~~
- ~~17. Only materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.~~
- ~~18. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.~~
- ~~19. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.~~
- ~~20. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development Department.~~
- ~~21. Prior to final site plan approval, the developer shall provide a qualified engineer's report certifying the average annual interior noise exposure for any residential unit or enclosed public assembly area will not exceed 45 decibels, as approved by the Planning and Development Department.~~
- ~~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.~~
- ~~23. 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.~~

~~Prior to final 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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