

Attachment D

REPORT OF PLANNING COMMISSION ACTION
May 6, 2021

ITEM NO: 15	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-56-20-4 (Aura Uptown PUD)
Location:	Southeast corner of 3rd Avenue and Coolidge Street
From:	R-3 and R-5
To:	PUD
Acreage:	3.29
Proposal:	Planned Unit Development for multifamily residential
Applicant:	T. Gosselink, Trinsic Residential Group
Owner:	Donor Network of Arizona
Representative:	Jason Morris, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation: Did not hear request for PUD.

Planning Commission Recommendation: Approval, per the Addendum A Staff Report with a modified stipulation and additional stipulations.

Motion Discussion:

Commissioner Howard made a MOTION to approve Z-56-20-5, per Addendum A of the Staff Report.

Commissioner Johnson made a substitute motion to approve Z-56-20-5, per Addendum A of the Staff Report with additional stipulations to include that 20 percent open space (including the canalscape) be required; that half the existing trees along the perimeter of the site must be salvaged, and if unsalvageable then replaced with a minimum four-inch caliper tree or two, two-inch caliper trees; and a modification of the maximum height on the north and west property lines to 48 feet.

Commissioner Busching asked for a friendly amendment to increase the landscape setback along the south property line.

Commissioner Johnson did not accept the amendment and responded that the increase in open space will result in additional landscaping.

Commissioner Busching agreed.

Ms. Racelle Escolar asked for clarification on the motion.

Commissioner Johnson clarified that his motion is to approve Z-56-20 per Addendum A of the Staff Report and added stipulations to require that the developer increase the open space,

which includes the canalscape to 20 percent, with 75 percent being public open space, that at least half of the existing trees shall be salvaged along the perimeter of the property and if unsalvageable to replant a minimum four-inch caliper tree or two, two-inch caliper trees, and that the maximum building height be 48 feet on the north and west property lines.

Ms. Escolar responded that the additional open space stipulation would be an amendment to the PUD Development Standards to change it from 10 percent to essentially 15 percent for publicly accessible open space and 5 percent general open space (including the canalscape). She verified that the additional stipulation for salvaging trees would be for the existing trees on the north and west property lines and stated that the provision can be added to the landscape section of the PUD. She asked if the height limitation of 48 feet was only for the units along the north and west or for a specific segment of the portions of the buildings.

Commissioner Johnson stated that the buildings on the south and east can go up to 56 feet and the buildings on the north and west can go up to 48 feet.

Ms. Escolar verified that the maximum height requirements in the PUD Development Standards, can be modified to limit the building height of the units along the north and west portions of the building to 48 feet in height.

Commissioner Busching seconded the substitute motion.

Commissioner Gorraiz stated that he was in opposition to the substitute motion due to the significant increase in open space and number of changes.

Commissioner Gaynor explained that this is a recommendation and City Council can accept or deny the recommendation and feels comfortable with the motion.

Vice-Chairperson Howard stated the site is an infill site and open space is difficult to come by without using units and economically can be difficult.

Motion details: Commissioner Johnson made a MOTION to approve Z-56-20-5, per Addendum A of the Staff Report with additional stipulations to update the PUD Narrative to require 15 percent publicly accessible open space and 5 percent general open space (including the canalscape), and requiring that half of the trees along the north and west perimeter be salvaged, and if unsalvageable to be replaced with a four-inch caliper tree or two, two-inch caliper trees; and a modified stipulation to limit the building height of the units along the north and west portions of the building to 48 feet in height, and the remaining portions of the building can be 56 feet.

Maker: Johnson
Second: Busching
Vote: 6-3 (Gorraiz, Howard, Perez)
Absent: None
Opposition Present: Yes

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 15+ Dwelling Units Per Acre and the TOD Strategic Policy Framework Minor Urban Center Place Type designation.

2. The development advances the vision and recommendations contained in the Uptown Transit Oriented Development Plan and will support pedestrian oriented development near the light rail and multiple urban bikeways.
3. The proposal will create additional housing options for the significant number of residents in the Uptown TOD District.

Stipulations:

1. ~~The south facing mass of the building(s) oriented to the Grand Canal shall incorporate Walkable Urban Code Frontage Types described in Section 1305 for a minimum 40 percent of the building face(s), as approved by the Planning and Development Department. For the purpose applying the above provisions, the above shall be treated as a Secondary Frontage with regard to glazing.~~

AN UPDATED DEVELOPMENT NARRATIVE FOR THE AURA UPTOWN PUD REFLECTING THE CHANGES APPROVED THROUGH THIS REQUEST SHALL BE SUBMITTED TO THE PLANNING AND DEVELOPMENT DEPARTMENT WITHIN 30 DAYS OF CITY COUNCIL APPROVAL OF THIS REQUEST. THE UPDATED DEVELOPMENT NARRATIVE SHALL BE CONSISTENT WITH THE DEVELOPMENT NARRATIVE DATE STAMPED APRIL 29, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS:

- A. FRONT COVER: REVISE THE SUBMITTAL DATE INFORMATION ON THE BOTTOM TO ADD THE FOLLOWING: CITY COUNCIL ADOPTED: [ADD ADOPTION DATE].
- B. PAGE 8, DEVELOPMENT STANDARDS TABLE, BUILDING HEIGHT: MODIFY BUILDING HEIGHT STANDARD TO READ AS FOLLOWS: A MAXIMUM HEIGHT OF 48 FEET FOR ALL BUILDINGS EXCEPT FOR THE PARKING GARAGE WHICH SHALL BE A MAXIMUM HEIGHT OF 56 FEET."

**NORTH STREET FRONTAGE/WEST STREET
FRONTAGE: 48 FEET
(UNITS ALONG THE NORTH AND WEST)**

EAST FRONTAGE/SOUTH FRONTAGE: 56 FEET

- C. PAGE 8, DEVELOPMENT STANDARDS TABLE, MINIMUM OPEN SPACE: MODIFY MINIMUM OPEN SPACE STANDARD TO READ AS FOLLOWS:

**15% PUBLICLY ACCESSIBLE OPEN SPACE
5% GENERAL OPEN SPACE
(INCLUDING CANALSCAPE)**

- CD. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, CANALSCAPE; MODIFY THE FIRST BULLET POINT TO READ AS

FOLLOWS: A PUBLICLY ACCESSIBLE LANDSCAPED GREENSPACE AREA SHALL BE PROVIDED ADJACENT TO THE ARIZONA GRAND CANAL TRAIL ON THE SOUTH SIDE OF THE PROPERTY. AT MINIMUM, THE GREEN SPACE AREA WILL MEASURE 4,800 SQUARE FEET, 15 FEET IN DEPTH FOR A DISTANCE OF 260 FEET, 7 FEET IN DEPTH FOR A DISTANCE OF 70 FEET, AND SHALL BE GENERALLY CONSISTENT WITH THE LANDSCAPE PLAN IN EXHIBIT 7. A MINIMUM OF 3 PEDESTRIAN AMENITIES, WHICH COULD INCLUDE BUT ARE NOT LIMITED TO, BENCHES AND SHADE CANOPIES SHALL BE PROVIDED WITHIN THE LANDSCAPE AREA.

E. PAGE 9, LANDSCAPE DEVELOPMENT STANDARDS TABLE, STREETSCAPE (COOLIDGE STREET AND 3RD AVENUE FRONTAGES); ADD A BULLET POINT TO READ AS FOLLOWS: HALF OF THE TREES ALONG THE NORTH AND WEST PERIMETER SHALL BE SALVAGED, AND IF UNSALVAGEABLE THEY MUST BE REPLACED WITH A MINIMUM 4-INCH CALIPER TREE OR TWO 2-INCH CALIPER TREES.

- ~~2. The south facing mass of the building(s) oriented to the Grand Canal shall contain architectural embellishments, design detailing, and / or space programming to activate and provide visual access onto the canal, as approved by the Planning and Development Department. Examples of appropriate enhancements may include textural changes, offsets, recesses, variation in window size and location, overhang canopies, balconies with a depth greater of than 3 feet, and amenities such as gathering spaces.~~
- ~~3. Between the southern mass of the building and the south property line (the Grand Canal right of way), the developer shall plant minimum 3 inch caliper, large canopy shade trees, at a minimum frequency of 25 feet on center or in equivalent groupings, as approved or modified by the Planning and Development Department.~~
- ~~4. The provisions of Section 1310.A.2 of the Phoenix Zoning Ordinance shall apply to require shaded open space of which a minimum 50 percent shall be situated adjacent to the south property line (the Grand Canal right of way), as approved or modified by the Planning and Development Department.~~
- ~~5. No solid perimeter wall greater than 36 inches in height shall be oriented to and located within 30 feet of the south property line (the Grand Canal right of way), as approved by the Planning and Development Department.~~
- ~~6. The developer shall provide traffic calming to slow vehicle traffic exiting the property with specific regard to pedestrian safety on the public sidewalk, as approved by the Planning and Development Department.~~
- ~~7. The developer shall provide a minimum of two direct and accessible pedestrian connections from the amenity areas located south of the building mass to the shared use path along the Grand Canal Trail, as approved by the Planning and Development Department.~~

8. ~~The developer shall provide and maintain the following bicycle infrastructure as described below and as approved by the Planning and Development Department.~~

- a. ~~A bicycle repair station (fix-it station) along the southern edge of the site, visible, and accessible from the public sidewalk and / or the Grand Canal Trail. 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 adjusting the bike.~~
- b. ~~All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.~~
- c. ~~Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance.~~

9.2. 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.

10.3. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 1740 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department:

- a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3); this includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
- b. A copy of the Grading and Drainage Plan shall be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
- c. The developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.

11.4. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.

- 12.5. 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.
- 13.6. 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.
- 14.7. 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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