

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION November 3, 2022

ITEM NO: 9	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-91-C-99-2
Location:	Approximately 815 feet west of the northwest corner of North Valley Parkway and Dove Valley Road
From:	PCD NBCOD (Approved C-2 HGT/WVR PCD NBCOD)
To:	C-2 HGT/WVR DNS/WVR PCD NBCOD
Acreage:	9.30
Proposal:	Major PCD amendment to allow multifamily residential uses.
Applicant:	Bob Bussone, Oakdale Realty, LLC
Owner:	David Beckham, Canyon Crossroads, LLC
Representative:	Larry Lazarus, Lazarus & Silvyn, P.C.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Gateway 9/8/2022 Meeting canceled.

North Gateway 10/13/2022 Approval, per the staff recommendation with modifications.
Vote: 6-0.

Planning Commission Recommendation: Approval, per the North Gateway Village Planning Committee recommendation with a modification.

Motion Discussion: Commissioner Gorraiz agreed with the modification to Stipulation No. 11 as requested by the representative.

Motion details: Commissioner Gorraiz made a MOTION to approve Z-91-C-99-2, per the North Gateway Village Planning Committee recommendation with a modification as requested by the representative.

Maker: Commissioner Gorraiz

Second: Commissioner Simon

Vote: 8-1 (Boyd)

Absent: 0

Opposition Present: No

Findings:

1. The development is compatible with the General Plan Land Use Map designation of Commercial.
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.

3. The proposed development will provide additional housing options close to employers in a designated Major Employment Center.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped October 7, 2022, and elevations date stamped August 5, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall utilize the R-5 Planned Residential Development option.
3. The maximum density for the project shall not exceed 36 31 dwelling units per acre.
4. The development shall provide a minimum of four amenities, such as a pool, ramadas, a bicycle repair station, or similar elements, as approved by the Planning and Development Department.
5. The developer shall construct a decorative path connecting from the subject site to the commercial development to the east, as approved by the Planning and Development Department.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper 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.
7. The developer shall provide full street improvements to 29th Avenue, as per the approved Canyon Crossroads Master Street Plan.
8. The development shall install all required street improvements including those on Dove Valley Road connecting to existing improvements on the east, to the western limits of the Canyon Crossroads Development, complying with the approved Master Street Plan for Canyon Crossroads PCD.
9. The developer shall construct a detached sidewalk along the north side of Dove Valley Road as required by the approved Canyon Crossroad Master Plan and planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 2-inch caliper shade trees placed a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.

Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

10. The applicant shall submit a Signal Warrant Analysis to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
11. **~~The development shall be responsible for 100% of the equipment and installation cost for the signal at the intersection of 29th Avenue and Dove Valley Road prior~~**

~~to preliminary site plan approval. If the signal is installed by others, then the development shall be responsible for 100% of the cost, provided in escrow to the Street Transportation Department for signal relocation and/or modification.~~
THE DEVELOPER SHALL CONTRIBUTE 25% FOR THE COST OF THE SIGNAL AND INSTALLATION AT THE INTERSECTION OF DOVE VALLEY ROAD AND 29TH AVENUE. PLEASE CONTACT BRUCE LITTLETON AT BRUCE.LITTLETON@PHOENIX.GOV TO COORDINATE THE DEPOSIT OF THE FUNDS IN AN ESCROW ACCOUNT WITH THE CITY OF PHOENIX STREETS DEPARTMENT.

12. 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.
13. A minimum of 14 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
14. 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.
15. 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.
16. 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.
17. 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.

PCD STIPULATIONS – LAND USE

18. All development, both commercial and residential, shall be consistent with design guidelines for the North Black Canyon Corridor Plan and North Black Canyon Overlay District.
19. Updated master plans for the Canyon Crossroads PCD reflecting changes approved through this amendment shall be submitted as required by the Planning and Development Department.

PCD STIPULATIONS – WASHES AND OPEN SPACE

20. The use of pedestrian-scaled lighting should be utilized where taller or brighter lights are not needed for auto safety and security. Required lights are to be of minimum heights, utilizing shoebox type fixtures with maximum shielding or other fixtures, as approved by the Planning and Development Department and Street Transportation Department.

PCD STIPULATIONS – STREETS, SIDEWALKS, AND TRANSIT

21. The Master Street Plan shall include 27th Avenue, Parkway A, and Dove Valley Road with full dedication of all rights-of-way where the arterial is located wholly within the PCD and half the right-of-way where the arterial is located on the edge of the PCD.
22. All concrete structures built within this development (including but not limited to sidewalks and drainage structures) shall be internally colored to match the surrounding undisturbed desert floor. Sidewalks along arterial streets shall be integrally colored with salt, broom, or other comparable finish. Maintenance and replacement of those sidewalks under the jurisdiction of the PCD Master Community Association (MCA) shall be by the MCA.
23. Along any collector and local streets within residential development, the sidewalk shall be detached, and a 5-foot-wide landscape strip shall be located between the sidewalk and back-of-curb. The planting area shall be planted with trees placed 20-feet on center, or in equivalent groupings, and groundcover. Alternatively, trees may be planted to reach canopy to canopy at maturity, which will vary depending upon the type of tree planted. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

PCD STIPULATIONS – DEVELOPMENT DESIGN

24. All development within the PCD shall use CPTED (Crime Prevention Through Environmental Design) principles in their design.
25. A Comprehensive Sign Plan shall be processed in accordance with Section 705.F.2 of the Zoning Ordinance. They should be designed to integrate into the adjacent streetscape through use of colors, materials, and textures in the surrounding natural environment as well as the built environment.

PCD STIPULATIONS – ADMINISTRATION

26. One or more Homeowner's Associations (HOA) shall be formed, and they (or their designee) shall be responsible for the maintenance of all (non-dedicated) landscape areas, open space, washes, specialty paving or lighting, private drives or streets, and trails, bikeways, and drainageways under common ownership. The ADJACENT PROPERTY OWNER OR HOA (or their designee) shall also be responsible for the maintenance of landscaping located in rights-of-way. All areas dedicated to the City, except for landscaping located in the rights-of-way, shall be maintained by the City.
27. Prior to approval of any subdivision plat or site plan, Covenants, Conditions, and Restrictions (CCRs) for the plat or site plan to be submitted shall be developed, submitted to, and approved by Planning and Development Department staff and shall address the following:
 - a. Describe maintenance of landscape areas, open space, washes, specialty paving or lighting, and of trails and drainageways under common ownership.

- b. Include a list of allowable plant materials and those prohibited as approved in the Master Landscape Plan.
- c. Inform prospective buyers of the proximity to possible neighborhood and community park sites, identifying those parcels, per language approved. by the Parks and Recreation Department.
- d. Inform prospective residential buyers of the proximity to the Ben Avery Shooting Range. The facility, located at the northwest corner of 1-17 and Carefree Highway, is operated by Arizona State Game and Fish Department and has the potential to be active seven days a week, 24 hours a day. This use will continue in perpetuity.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-261-8980, leslie.scott@phoenix.gov or TTY: Use 7-1-1.