

Attachment C

REPORT OF PLANNING COMMISSION ACTION October 7, 2021

ITEM NO: 5	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	PHO-1-21--Z-10-18-8
Location:	Northwest corner of 27th Street and Baseline Road
Request:	<ol style="list-style-type: none">1) Modification of Stipulation 1 regarding general conformance to the conceptual planting plan date stamped June 25, 2018.2) Deletion of Stipulation 1.a regarding the quantity and configuration of drive-through facilities.3) Deletion of Stipulation 1.b regarding the configuration of 27th Street.4) Deletion of Stipulation 2 regarding general conformance to elevations date stamped February 12, 2018.5) Modification of Stipulation 2.a regarding pitched roof elements.6) Modification of Stipulation 2.b regarding an equestrian corral area.
Acreage:	10.31
Applicant:	Cassandra Ayres, Beus Gilbert McGroder, PLLC
Owner:	Baseline 25, LLC
Representative:	Paul Gilbert, Beus Gilbert McGroder, PLLC

ACTIONS:

Staff Recommendation: Denial as filed and approval with modifications and additional stipulations, as recommended by the Planning Hearing Officer.

Village Planning Committee (VPC) Recommendation:

South Mountain 7/13/2021 Denial as filed and approval with modifications.

Vote: 10-1-1.

Planning Hearing Officer Recommendation: The Planning Hearing Officer heard this case on July 21, 2021 and recommended a continuance to the August 18, 2021 agenda. The Planning Hearing Officer heard this case on August 18, 2021 and recommended denial as filed and approval with modifications and additional stipulations.

Planning Commission Recommendation: Approval, per the Planning Hearing Officer recommendation with a deletion of a stipulation.

Motion Discussion: N/A

Motion details: Commissioner Johnson made a MOTION to approve PHO-1-21—Z-10-18-8, per the Planning Hearing Officer recommendation with the deletion of Stipulation No. 1.a.

Maker: Johnson
Second: Gorraiz
Vote: 6-2 (Busching, Perez)
Absent: Shank
Opposition Present: No

Stipulations:

1. The development shall be in general conformance with the SITE PLAN AND ELEVATIONS ~~conceptual planting plan~~ date stamped MAY 26, 2021 ~~June 25, 2018~~, as modified by the following stipulations and approved by the Planning and Development Department, and with specific regard to the following:
 - ~~a. The quantity and configuration of drive-through facilities on the subject site.~~
 - a. THE SITE PLAN SHALL BE MODIFIED TO ALIGN 27TH STREET WITH**
 - b. THE EXISTING PORTION OF 27TH STREET SOUTH OF BASELINE ROAD OR PROVIDE AN ALTERNATIVE AS APPROVED BY THE STREET TRANSPORTATION AND PLANNING AND DEVELOPMENT DEPARTMENTS.**

~~The configuration of 27th Street, which aligns with the existing portion of 27th Street south of Baseline Road.~~
2. ~~The development shall be in general conformance with the elevations date stamped February 12, 2018, as modified by the following stipulations and approved by the Planning and Development Department.~~
 - ~~a. Pitched roof elements shall be incorporated in all buildings.~~
 - b. All building elevations, including those facing or visible from the Western Canal, shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies.
3. The developer shall provide the following amenities and open public access to the amenities, as approved by the Planning and Development Department:
 - a. A multi-use trail or shared-use path which provides connectivity between Baseline Road and the Western Canal, in accordance with the MAG supplemental details.
 - b. Equestrian ~~corral~~ AMENITY area containing hitching posts ~~for horses~~, WATER FOR EQUINE CONSUMPTION, AND STRUCTURAL OR LANDSCAPED SHADING along the northern ~~property align~~ LINE adjacent to the Western Canal.
 - c. Minimum of two shaded benches, along the northern property align adjacent to the Western Canal.

- d. Bicycle parking area containing a minimum of eight spaces. The bicycle parking area shall utilize inverted-U bicycle racks or a similar design that accommodates lock placement on both wheels and the frame.
4. Any solid portion of a perimeter wall adjacent to the Western Canal shall not exceed a maximum height of three feet, as approved by the Planning and Development Department.
5. No drive-through facility shall locate its drive-through window facing a residential use or Baseline Road, as approved by the Planning and Development Department.
6. Drive-throughs shall be screened from view of public rights-of-way and residential uses with a landscaped berm or a combination of a wall and landscaped berm at least four feet in height, as approved by the Planning and Development Department.
7. The developer shall dedicate a 30-foot wide multi-use trail easement (MUTE) along the north side of Baseline Road 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 Parks and Recreation and Planning and Development Departments.
8. The location of the bus stop along Baseline Road shall be approved by the Public Transit Department.
9. THE DEVELOPER SHALL PROVIDE A MINIMUM 5-FOOT-WIDE SHADED PEDESTRIAN PATHWAY ALONG THE EAST SIDE OF THE 25TH STREET ALIGNMENT PROVIDING A DIRECT CONNECTION FROM THE PROPOSED MULTIFAMILY RESIDENTIAL DEVELOPMENT TO THE PUBLIC SIDEWALK ALONG BASELINE ROAD, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
10. 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.
- ~~9.~~ 11. 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.
- ~~10.~~ 12. The developer shall notify the following individuals at a minimum 10 calendar days prior to any Planning Hearing Officer request to modify or delete stipulations. The notice shall include the date, time and location of the hearing.
- ~~11.~~ a. Tanis Earle
3602 East Vineyard Road
Phoenix, AZ 85042
- b. Sandy Bawden
3232 East Vineyard Road

Phoenix, AZ 85042

- c. Kay Gunter
1821 East Latona Road
Phoenix, AZ 85042
- d. Deandra Ervin
2914 East Constance Way
Phoenix, AZ 85042
- e. Linda Martin
7049 South Golfside Lane
Phoenix, AZ 85042
- f. Stephanie Watney
834 East Beverly Road
Phoenix, AZ 85042
- g. Anthony Siglar
2727 East Donnor Drive
Phoenix, AZ 85042
- h. Kenneth And June Wood
2447 East Fremont Road
Phoenix, AZ 85042
- i. Melissa Hinkle
7051 South 27th Way
Phoenix, AZ 85042
- j. Steve And Robin Martin
8517 South 30th Way
Phoenix, AZ 85042
- k. Heather Cannon
8032 South 27th Way
Phoenix, AZ 85042
- l. Hayime Monge
7507 South 27th Terrace
Phoenix, AZ 85042
- m. Steven Pace
2198 East Camelback Road, Suite 210
Phoenix, AZ 85016
- n. Linda Anquoe
3923 East Carson Road
Phoenix, AZ 85042

- o. Kent June
3917 East St. Catherine Avenue
Phoenix, AZ 85042
- p. Monique Bontrager
6401 South 37th Street
Phoenix, AZ 85042
- q. Amy Schneider
3232 East Maldonado
Phoenix, AZ 85042
- r. Kim Figgins
2918 East Dunbar Drive
Phoenix, AZ 85042

13. PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 WAIVER OF CLAIMS IN A FORM APPROVED BY THE CITY ATTORNEY'S OFFICE. 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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