

# ATTACHMENT D

## REPORT OF PLANNING COMMISSION ACTION January 2, 2025

ITEM NO: 5	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-151-24-5
Location:	Northeast corner of 39th Avenue and Grand Avenue
From:	R1-6 and R-3
To:	R-4A
Acreage:	6.89
Proposal:	Multifamily residential
Applicant:	UMOM Housing 11, LLC
Owner:	School District No. 68
Representative:	Benjamin Graff, Quarles & Brady, LLP

### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Alhambra** 12/17/2024 Approval, per the staff recommendation, with a modification. Vote: 11-0.

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

Motion Discussion: N/A

Motion details: Vice-Chairperson Boyd made a MOTION to approve Z-151-24-5, per the Alhambra Village Planning Committee recommendation.

Maker: Vice-Chairperson Boyd

Second: Hu

Vote: 8-0

Absent: None

Opposition Present: No

### **Findings:**

1. 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.
2. The site is appropriately located along a major arterial street.
3. As stipulated, the proposal provides enhanced pedestrian and bicycle amenities consistent with the Comprehensive Bicycle Master Plan, Tree and Shade Master Plan, and the Complete Streets Guiding Principles.

Stipulations:

1. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
2. A minimum of one pedestrian access point connecting directly to Grand Avenue shall be provided at the ~~southeastern~~ SOUTHWESTERN corner of the site, as approved by the Planning and Development Department.
3. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
  - a. Secure bicycle parking shall be provided per Section 1307 of the Zoning Ordinance.
  - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
  - c. A minimum of 10 percent of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
  - d. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade.
  - e. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance, and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
    - i. Standard repair tools affixed to the station;
    - ii. A tire gauge and pump affixed to the base of the station or the ground;
    - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
4. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center, or in equivalent groupings, with a minimum five 5-gallon shrubs per tree, 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 for installing the required plants.
5. A minimum of 3% of the required vehicle parking spaces shall include EV Capable infrastructure.
6. All internal pedestrian pathways shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.

7. 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.
8. 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, shade trees, or a combination thereof.
9. Only landscape 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.
10. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.
11. 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.
12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
13. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.
14. The sidewalk along Grand Avenue, exclusive of the sidewalk adjacent to the westbound right-turn deceleration lane, shall be a minimum of 5 feet in width and detached with a minimum 4-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, or as approved by the Arizona Department of Transportation.
  - a. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

15. The sidewalk along 39th Avenue shall be a minimum of 6 feet in width and detached with a minimum 8-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
  - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings.

- b. Shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

- 16. A minimum 30 feet of right-of-way shall be dedicated and constructed for the east side of 39th Avenue.
- 17. Existing SRP facilities along 39th Avenue are to be relocated outside of City right-of-way, unless otherwise approved by the Street Transportation Department. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- 18. The Traffic Impact Analysis (TIA) must be submitted to both the City of Phoenix and the Arizona Department of Transportation. Development shall adhere to the recommendations of the TIA for the improvements to the 39th Avenue and Grand Avenue intersection, before preliminary site plan approval is granted, as accepted by the City of Phoenix and the Arizona Department of Transportation.
- 19. All access control for the site shall be determined through the accepted recommendations of the TIA by the City of Phoenix and the Arizona Department of Transportation.
- 20. 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.
- 21. 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.
- 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. 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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