

Attachment C

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Bradley Wylam, Planner I, Assisting

October 19, 2022

ITEM NO: 1	
	DISTRICT 1
SUBJECT:	
Application #:	PHO-1-22--Z-27-20-1
Location:	Southwest corner of 28th Drive and Sahuaro Drive
Zoning:	R-3A
Acreage:	3.82
Request:	1) Deletion of Stipulation 1 regarding a maximum building height of 30 feet.
Applicant:	Sebastean Losch, Trillium SFR
Owner:	Matthew Luxenberg Family Trust
Representative:	Sebastean Losch, Trillium SFR

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval.

Village Planning Committee (VPC) Recommendation: The North Mountain Village Planning Committee heard this case on September 21, 2022 and recommended approval by a vote of 13-0.

DISCUSSION:

Taylor Earl, representative with Earl & Curley PC, provided an overview of the original rezoning case and the North Mountain Village Planning Committee (VPC) meeting on September 21, 2022, which recommended approval by a vote of 13-0. He introduced the proposed deletion of Stipulation 1 and noted that the development would conform with the R-3A standards for building height. He stated that the development proposed during the original rezoning case was expected to be two stories but that no elevations were prepared, so the stipulation was introduced to match that proposal. He provided an overview of the subject site and surrounding uses. He stated that the subject site is close to the Metrocenter Mall and future light rail station, which is part of the North Mountain Village Core. He introduced a conceptual site plan and elevations for the subject site and noted that the buildings adjacent to 30th Avenue would be three stories at approximately 36 feet 2 inches to top of parapet in height. He stated that the remaining buildings would be two stories at approximately 26 feet 11 inches to the peak of the roof. He stated that 30th Avenue and Sahuaro Drive

provide a buffer to the surrounding residential community. He stated that each unit in the development would have a garage that exits internally into the site and that the three-story units would have front doors that face 30th Avenue, which would activate the street. He stated that the two-story buildings have the garage and front door on the same side and would not be well suited to face 30th Avenue. He stated that balconies would face internally to the subject site.

Adam Stranieri, Planning Hearing Officer, stated that no correspondence was received and noted the North Mountain VPC unanimous recommendation of approval on September 21, 2022. He stated that the original intent of the rezoning case was to adaptively reuse the existing two-story buildings on site as part of the development. Mr. Earl noted that the buildings were demolished due to unsafe conditions. Mr. Stranieri stated that the conceptual site plan depicts three-story buildings along 30th Avenue, which allows activation of 30th Avenue and internal garages. He stated that the deletion of Stipulation 1 is recommended for approval. He noted that a Recorded Proposition 207 Waiver is still required prior to preliminary site plan approval and that Stipulation 10 already contains that requirement.

FINDINGS:

- 1) The request to delete Stipulation 1 regarding a maximum height of 30 feet is recommended to be approved. The original stipulation was created to reflect the applicant's proposal in the original rezoning case, which contemplated an adaptive reuse project with a maximum height of 30 feet. Following the approval of the original rezoning case, the existing building was demolished, and new conceptual plans were created. The proposed height is compatible with the existing land use pattern and planned transit infrastructure and new developments in the surrounding area.

STIPULATIONS:

1.	The maximum building height shall be 30 feet.
1. 2.	All elevations of the buildings shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
2. 3.	The public sidewalk along 28th Drive shall be detached with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards. 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, shade trees shall be placed 25 feet on center or in equivalent groupings. Fifty percent of the required trees shall be a minimum 3-inch caliper and 50 percent shall be a minimum 2-inch caliper.
	b.	At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
	c.	Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. 4.		All ground level units with adjacency to a public street shall incorporate a direct pedestrian pathway from a unit entry to the public sidewalk, as approved by the Planning and Development Department.
4. 5.		No solid perimeter wall greater than 40 inches in height shall be situated in any required building setback adjacent to a public street, as approved by the Planning and Development Department.
5. 6.		The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
	a.	“Secured/Covered Facilities” and/or “Outdoor/Covered Facilities” shall be provided for residents at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.
	b.	Inverted-U style bicycle racks with a capacity for a minimum six bicycles for guests shall be located near the primary pedestrian entrance to the building.
	c.	A bicycle repair station (“fix it station”) shall be provided in an area of high visibility, separated from vehicle maneuvering areas, and located within close proximity to 28th Drive. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
6. 7.		The developer shall dedicate a 10-foot wide sidewalk easement on the west side of 28th Drive, as approved by the Planning and Development Department.

7. 8.	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.
8. 9.	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.
9. 10.	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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