

Attachment D

REPORT OF PLANNING COMMISSION ACTION September 2, 2021

ITEM NO: 10	
	DISTRICT NO.: 2
SUBJECT:	
Application #:	Z-38-21-2 (Companion Case GPA-PV-2-21-2)
Location:	Northwest corner of 34th Way and Bell Road
From:	PSC (Approved C-2)
To:	R-3A
Acreage:	12.92
Proposal:	Multifamily residential
Applicant:	Chase Courchaine
Owner:	Harkins Phoenix Cinemas
Representative:	Benjamin Tate, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 8/31/2021 Approval, per the staff recommendation. Vote: 13-0.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation, with additional stipulations.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-38-21-2, per the Paradise Valley Village Planning Committee recommendation, with the additional stipulation as read into the record and add a stipulation that states, "A pedestrian connection shall be provided between the site and the commercial property to the west of the site, as approved by the Planning and Development Department."

Maker: Busching
Second: Johnson
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings:

1. As stipulated, the proposal will be compatible with existing nearby uses and consistent with the North 32nd Street Policy Plan, Comprehensive Bicycle Master Plan, Tree and Shade Master Plan and the Complete Streets Guiding Principles.
2. The proposal will redevelop a property and provide a high-quality multifamily development which is consistent with the North 32nd Street Policy Plan designation of Repurpose/Retrofit for the site.

3. The proposal provides a new housing option to contribute to the mix of housing types in the area and will help alleviate the housing shortage in Phoenix.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped August 11, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped June 14, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
 - a. All building elevations shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
 - b. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and single garage doors.
3. The development shall be limited to a maximum of 278 dwelling units.
4. Enhanced landscaped entries shall be provided at the entryways into the development off of Bell Road and 34th Way with a minimum 300 square feet of landscaped area on each side of the entrances. The landscaped entries shall be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
5. There shall be a minimum of four private open space amenity areas, three of which shall be centrally located. A minimum of 10 percent of the site area shall be preserved as open space, exclusive of landscape setbacks. Each area shall provide, at a minimum, one of the following active amenity elements or other similar elements, as approved by the Planning and Development Department:
 - a. Swimming Pool
 - b. Pickleball court or another active recreational amenity
 - c. Pavilion or Ramada
 - d. Dog park
6. Where pedestrian pathways cross drive aisles, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave parking surfaces and drive aisles, as approved by the Planning and Development Department.
7. A minimum 5-foot-wide detached sidewalk shall be provided along Bell Road with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb

and planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or equivalent groupings to provide a minimum of 75% shade on the adjacent sidewalk.
- b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75% live coverage at maturity.
- c. A minimum 10-foot-wide public sidewalk easement along the northern side of Bell Road shall be dedicated.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

8. A minimum 5-foot-wide detached sidewalk shall be provided along 34th Way with a minimum 5-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 20 feet on center or equivalent groupings to provide a minimum of 75 percent shade on adjacent sidewalks.
- b. Drought tolerant shrubs and vegetative groundcovers maintained no higher than 24 inches to provide a minimum of 75 percent live coverage at maturity.

Where utility or mature tree conflicts exist, the developer shall work with the Planning and Development Department and the Street Transportation Department on potential alternative design solutions consistent with a pedestrian environment.

9. The developer shall provide a minimum 5-foot-wide detached sidewalk along Danbury Road with a minimum 5-foot-wide landscape area located between the back of curb and sidewalk, as approved by the Planning and Development Department.
10. A minimum 25 percent of the surface parking lot areas must be shaded by minimum 2-inch caliper, large canopy single trunk shade trees, located within minimum 5-foot-wide landscape areas, as approved by the Planning and Development Department.
11. The applicant shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include 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 making adjustments to the bike.
 - b. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a

combination of “Secure/Covered Facilities” and “Outdoor/Covered Facilities” as defined in Appendix K or the Comprehensive Bicycle Master Plan. “Outdoor/Covered Facilities” shall comprise no more than 60 percent of required resident bicycle parking.

- c. Guest bicycle parking shall be provided. Artistic style racks or “Outdoor/Covered Facilities” for guests shall be located near building entrances and the amenity areas and installed per the requirements of Section 1307.H of the Zoning Ordinance. All racks shall be adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
12. The Public Transit Department shall require retention of right-of-way and one bus stop pad along westbound Bell Road west of 34th Way. Should the bus stop require demolition and/or replacement, the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1260 with a minimum depth of 10 feet and spaced from the intersection as per City of Phoenix Standard Detail P1258, as approved by the Public Transit Department.
13. Clearly defined, accessible pedestrian pathways shall be provided to connect building entrances, bus stop pads, and public sidewalks, using the most direct route for pedestrians, as approved by the Planning and Development Department.
14. 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.
15. 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.
16. 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.
17. 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.
18. **A PEDESTRIAN CONNECTION SHALL BE PROVIDED BETWEEN THE SITE AND THE COMMERCIAL PROPERTY TO THE WEST OF THE SITE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
19. **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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