

Attachment D

REPORT OF PLANNING COMMISSION ACTION October 7, 2021

ITEM NO: 10	
	DISTRICT NO.: 4
SUBJECT:	
Application #:	Z-37-21-4
Location:	Approximately 207 feet north of the northeast corner of 17th Avenue and Colter Street
From:	R-3
To:	WU Code T4:2 Solano
Acreage:	0.50
Proposal:	Multifamily residential
Applicant:	Scott Evans, Ryker I, LLC
Owner:	Scott Evans, Ryker I, LLC
Representative:	William F. Allison, Withey Morris, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Alhambra 9/28/2021 Approval, per the staff recommendation. Vote: 11-0.

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

Motion Discussion: N/A

Motion details: Commissioner McCabe made a MOTION to approve Z-37-21-4, per the Alhambra Village Planning Committee recommendation, with the additional stipulation as read into the record and add Stipulation No. 4.d. to require minimum building setbacks of 15 feet along the east property line.

Maker: McCabe

Second: Gaynor

Vote: 9-0

Absent: None

Opposition Present: Yes

Findings:

1. The development advances the vision and recommendations contained in the Transit Oriented Development Strategic Policy Framework and the Solano Transit Oriented Development Policy Plan.
2. The development, as stipulated, is compatible with the context of the area and utilizes setbacks and other design considerations to promote compatibility both in the short-term and upon the redevelopment of the site.
3. The development will create additional housing options in line with the Housing Phoenix Plan's goal of preserving or creating 50,000 housing units by 2030.

Stipulations:

1. Prior to the issuance of a Certificate of Occupancy for any units beyond seven, the developer shall detach the public sidewalk in compliance with Chapter 1312(E)(1)(c) of the Phoenix Zoning Ordinance and provide a minimum 75 percent shade, 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 the creation of a comfortable pedestrian environment. If the site plan is modified in accordance with Stipulation No. 4, the conditions of this stipulation shall be superseded by the provisions of the Walkable Urban Code.
2. Prior to the issuance of a Certificate of Occupancy for any units beyond seven, the developer shall provide secure bicycle parking for residents at a rate of 0.25 spaces per unit and Inverted-U style racks for 4 bicycles per the installation requirements of Chapter 13 of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. If the site plan is modified in accordance with Stipulation No. 4, the conditions of this stipulation shall be superseded by the provisions of the Walkable Urban Code.
3. Prior to the issuance of a Certificate of Occupancy for any units beyond seven, all on-site pedestrian pathways and required amenity areas shall be shaded to a minimum 50 percent through vegetative methods, as approved by the Planning and Development Department. If the site plan is modified in accordance with Stipulation No. 4, the conditions of this stipulation shall be superseded by the provisions of the Walkable Urban Code.
4. A conceptual site plan and elevations shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements for any expansion or modification to the buildings on the site exceeding 10 percent from the site plan date stamped June 11, 2021. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Shaded and detached sidewalks.
 - b. Frontage types oriented to 17th Avenue.

- c. Maximum building setbacks of 15 feet along 17th Avenue.
 - d. **Minimum building setbacks of 15 feet along the east property line.**
- 5. 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.
 - 6. 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.
 - 7. **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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