

Attachment C

REPORT OF PLANNING COMMISSION ACTION June 3, 2021

ITEM NO: 12	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	PHO-1-21--Z-48-07-1
Location:	Approximately 400 feet east of the southeast corner of I-17 and Arroyo Norte Drive
Request:	1) Submittal of conceptual site plan and elevations for approval by the Planning Hearing Officer per Stipulation 1. 2) Modification of Stipulation 2 regarding approval of a comprehensive sign plan. 3) Technical corrections to Stipulations 3 and 7.
Existing Zoning:	C-2
Acreage:	16.0
Applicant:	Law Office of David Cisiewski
Owner:	Tom Tait, AV 203 LLC
Representative:	Lisa Gage, FDG Acquisitions

ACTIONS:

Staff Recommendation: Approval with a modification and additional stipulations, as recommended by the Planning Hearing Officer.

Village Planning Committee (VPC) Recommendation:

Rio Vista 3/9/2021 Continued. Vote: 5-0.
4/13/2021 Approval. Vote: 4-2.

Planning Hearing Officer Recommendation: Approval, with a modification and additional stipulations.

Planning Commission Recommendation: Approval, per the Planning Hearing Officer's recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve PHO-1-21—Z-48-07-1, per the Planning Hearing Officer recommendation with an additional stipulation to require a minimum of two separate public pedestrian pathways, shaded to a minimum of 75 percent, to be provided from the closest parks in the development and connecting to North Whisper Lane on the south and Arroyo Norte Drive on the north.

Maker: Busching
Second: Howard
Vote: 8-0
Absent: Gorraiz
Opposition Present: Yes

Findings:

1. The original rezoning case contemplated development of the site with commercial uses. As there were no site plans or elevations included in the original application, it was unknown at the time how the site would ultimately develop, what specific uses would be implemented, and the scale and intensity of future development. Therefore, Stipulation 1 was adopted to require Planning Hearing Officer review through the public hearing process once these became available. However, this stipulation did recognize that the site may develop with residential uses as permitted in the approved C-2 zoning designation. Stipulation 1.f directly addressed this by establishing criteria for mitigating impacts of the I-17 on potential residences.

The proposed conceptual site plan in this request depicts a 170-unit multifamily complex consisting of single-story bungalow-style residences. The proposed density is 12.2 dwelling units per gross acre, which is less than the 17.40 dwelling units per gross acre permitted in the R-3 PRD development option with bonus points. The proposed height is less than the two stories and 30 feet permitted in the R-3 PRD development option. Proposed open space is approximately 1.18 acres or 7.4 percent of the gross site area, which is greater than the minimum 5 percent required. The proposed residences are detached stand-alone units rather than a traditional multifamily apartment complex. The scale and intensity of the proposal is appropriate for its location along the I-17 freeway corridor, consistent with the existing zoning and General Plan Land Use map designation, and creates a buffer between existing single-family development to the east, adjacent commercial zoning, and the I-17 freeway corridor.

2. Stipulations 1.a through 1.g established specific criteria regarding the review of the site plan and elevations. General conformance to the proposed conceptual site plan and elevations is recommended as discussed in these findings.
3. Stipulation 1.a requires architectural consistency in the elevations regarding building mass, building style, wall treatments, lighting, and signage. This stipulation was originally intended to address the potential development of the site with multiple commercial uses. With the conversion of this stipulation to general conformance for the proposed residential development, these concerns are not wholly relevant. However, the residential elevations do provide an appropriate level of consistency while still providing for architectural diversity with three home styles. Architectural features include multiple window styles, decorative window treatments, gable ornamentation, use of accent colors, and varied rooflines.
4. Stipulation 1.b requires the use of finishing materials that are appropriate for a desert context. This includes the use of Spanish style terracotta roof tiles. Primary building colors include neutral whites and grays in stucco. Accent colors are limited to front doors.
5. The applicant submitted revised building elevations and a revised color palette intended to address concerns raised during public outreach regarding the

compatibility of the color palette on the initial elevations submitted with the request. These initial elevations included yellow, blue, and red accent doors and a Mediterranean palette. However, the revised elevations were limited to single-perspective renderings, did not incorporate the new door colors on the revised palette, and did not include the level of detail on the four-sided elevations in the original submittal. Therefore, an additional stipulation is recommended that addresses the use of colors that blend with the desert environment, prohibiting reflective materials, and limiting accent colors. The revised color palette date stamped April 20, 2021 would conform with this stipulation. However, the stipulation is intended to allow staff flexibility in reviewing the final palette as there is no building elevation that depicts all the appropriate colors in a single image.

6. Stipulation 1.f requires special consideration for residential uses regarding mitigating impacts of the I-17. It addresses four conditions that are addressed in the applicant's submittal as follows:
 - a. **Innovative Site Design** – Vehicular access to the community is located along Arroyo Norte Drive, not along the I-17 frontage road, which will allow a continuous perimeter wall along the west property line. No units front the west property line and there are private yards located along this area.
 - b. **Increased Setbacks** – The proposed site area is not adjacent to the I-17 frontage road. There is an approximately 500-foot setback between the I-17 and the closest unit. This area includes a remaining large parcel, subject to the stipulations of this case, and an approximately 70-foot wide drainage channel.
 - c. **Sound barriers** – A six-foot split-faced CMU wall is proposed along the west perimeter property line. Additionally, as the subject property does not contain the parcel adjacent to the I-17 frontage road, the closest unit will be setback approximately 500 feet from the I-17.
 - d. **Increased Landscaping** – The conceptual landscape plan depicts a variety of large and medium canopy shade trees along the west property line in open spaces. Trees include a variety of acacia, willow, oak, and ash. However, the majority of the west property line consists of private yards and trees are not depicted. The fact that the subject property does not contain the parcel adjacent to the I-17 frontage road and the closest unit will be setback approximately 500 feet from the I-17 reduces the concern regarding enhanced landscaping standards in this area. The property is subject to existing Ordinance standards for landscaping in multifamily developments. The remaining parcel between this site and the I-17 will remain subject to this stipulation and landscaping will be reviewed during a future PHO hearing for these plans.
7. Stipulations 1.c, 1.d, 1.e, and 1.g addressed specific considerations that were relevant to the original vision of the site developing with multiple commercial users. Regarding Stipulation 1.g, the majority of the considerations are

reflected in the conceptual elevations and the recommendation for general conformance.

8. Stipulation 2 regarding approval of a comprehensive sign plan was relevant to the assumption in the original rezoning case that the site would develop with multiple commercial uses. This requirement is not relevant to the development of the site with a single multifamily development. The applicant's request to modify this stipulation is recommended to be approved with a modification to the standard language to specify that this requirement is only relevant to development proposals for commercial land uses.

Stipulations:

1. ~~That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. The site plan(s) and elevations shall include the following:~~

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED JANUARY 28, 2021, WITH SPECIFIC REGARD TO THE FOLLOWING, AS MODIFIED BY THE FOLLOWING STIPULATIONS, AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. ~~Elevations which provide architectural consistency in building mass and style, wall treatments, lighting, and signage.~~

BUILDING AND WALL COLORS SHOULD BE MUTED AND BLEND WITH RATHER THAN CONTRAST WITH THE SURROUNDING DESERT ENVIRONMENT. REFLECTIVE MATERIALS SHOULD NOT BE USED. ACCENT COLORS SHOULD BE USED JUDICIOUSLY AND WITH RESTRAINT.

- b. ~~The primary finishing materials for buildings shall consist of natural desert materials or materials which are appropriate for the natural desert context.~~

A MINIMUM OF TWO SEPARATE PUBLIC PEDESTRIAN PATHWAYS, SHADED TO A MINIMUM OF 75 PERCENT, SHALL BE PROVIDED FROM THE CLOSEST PARKS IN THE DEVELOPMENT AND CONNECTING TO NORTH WHISPER LANE ON THE SOUTH AND ARROYO NORTE DRIVE ON THE NORTH.

- e. ~~Drive-thru facilities shall be oriented so that drive-thru windows are not directly visible from adjacent public streets.~~
- d. ~~Landscaping, arcades, or overhangs which provide shaded walkways shall be utilized.~~
- e. ~~That parking areas shall be designed with landscaped areas to break up the large expanses of parking.~~

- f. ~~Special consideration shall be given to site design for residential uses to adequately mitigate the impacts of the proximity to Interstate 17, such as innovative site design, increased setbacks, sound barriers, and increased landscaping.~~
 - g. ~~An architectural plan shall be approved with the elevations. The architectural plan shall convey a sense of continuity throughout the development and at a minimum include the following:~~
 - i) ~~Natural accent materials such as brick, stone, or tile for buildings and signage.~~
 - ii) ~~Architectural detailing such as recesses, pop outs, shade walls, parapets, artistic insets, or pilasters.~~
 - iii) ~~Street appurtenances such as benches, seat walls, ramadas, shade structures, trash enclosures, lighting and wayfinding signage.~~
 - iv) ~~Detail sections for screening and perimeter walls as well as walls interior to the site; said walls shall be designed and finished with materials similar to those of the buildings' architectural detailing.~~
2. ~~That FOR COMMERCIAL LAND USES, a comprehensive sign plan for the entire property shall be approved by the Zoning Administrator FOR THE ENTIRE DEVELOPMENT in accordance with Section 705 of the Zoning Ordinance prior to Development Services Department final site plan approval for the first phase of development.~~
 3. ~~That Twenty-five feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development Services Department.~~
 4. ~~That Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.~~
 5. ~~That 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 or modified by the Street Transportation Department.~~
 6. ~~That The applicant shall 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. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.~~
 7. ~~That The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any~~

PLANNING AND Development Services Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:

- a. New River Desert Hills Community Association, Inc.
515 E. Carefree Highway, #300
Phoenix, AZ 85085-8839
 - b. Shareen Goodroad
scgoodroad@msn.com
623-742-0150
 - c. Terry Marron
t.marron@yahoo.com
623-587-7039
8. 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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