

## ATTACHMENT D

### REPORT OF PLANNING COMMISSION ACTION August 3, 2023

ITEM NO: 12	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-19-23-5
Location:	Approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road
From:	R1-6
To:	R-3A
Acreage:	6.50
Proposal:	Multifamily residential
Applicant:	Michael S. Buschbacher, Earl & Curley, P.C.
Owner:	Sheri Ranger
Representative:	Taylor Earl, Earl & Curley, P.C.

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 7/12/2023 Approval, per the staff recommendation. Vote: 10-1.

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

Motion Discussion: N/A

Motion details: Vice Chairman Gaynor made a MOTION to approve Z-19-23-5, per the Maryvale Village Planning Committee recommendation.

Maker: Vice Chairman Gaynor

Second: Perez

Vote: 8-0

Absent: Mangum

Opposition Present: No

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation and with several General Plan principles.
2. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development which will help alleviate the housing shortage in Phoenix.
3. This proposal, as stipulated, provides enhanced setbacks and landscape areas to be sensitive to the surrounding single-family residences

Stipulations:

1. The site shall be limited to no more than a total of 112 dwelling units.
2. Buildings shall be set back an average of 45 feet from the southern property line, but in no case shall a building be closer than 15 feet and in no case shall a building with more than 75 feet of building facade directly facing the southern property line be any closer than 60 feet, as approved by the Planning and Development Department.
3. The site shall maintain common area of at least 10 percent of the gross acreage, which may include both active and passive open space, as approved by the Planning and Development Department.
4. The on-site amenities shall include at least a pool, clubhouse, outdoor BBQ area, tot lot, and dog run, as approved by the Planning and Development Department.
5. The maximum building height shall be 30 feet. Architectural detailing above 30 feet may be added for no more than 25% of any building facade and in no case shall such detailing exceed 33 feet, as approved by the Planning and Development Department.
6. The south landscape setback shall be planted with minimum 2-inch caliper, drought tolerant shade trees planted 20 feet on center or in equivalent groupings, 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.
7. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces, as approved by the Planning and Development Department. These spaces shall be located near building entrances or common areas and may be provided through a combination of inverted U- bicycle racks, artistic style racks, "Secure/Covered Facilities" or "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan.
8. A minimum of 5% of the required parking spaces shall be Electric Vehicle (EV) Capable.
9. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments (such as striping), as approved by the Planning and Development Department.
10. A minimum of 70 feet of right-of-way shall be dedicated along the east side of 75th Avenue, as approved by the Planning and Development Department.
11. The existing attached sidewalk along 75th Avenue shall be detached to connect to the existing detached sidewalk. The sidewalk shall be minimum 5-feet-wide with a minimum 9-foot-wide landscape area between back of curb and sidewalk to match the existing sidewalk condition on the southwest portion of the site, as approved by the Planning and Development Department.
12. The landscape area within the 75th Avenue right-of-way between the back of curb and sidewalk shall be planted with minimum 2-inch caliper, single trunk, drought tolerant shade trees placed 20 feet on center and near the sidewalk, 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.

13. A minimum of one 8-foot-wide shaded pedestrian pathway constructed of decorative material such as brick, pavers, or alternative material shall be provided up to the eastern property line to access the Grand Canal Trail, 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. 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.
16. 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.

This publication can be made available in alternate format upon request. Please contact Angie Holdsworth at (602) 329-5065, TTY use 7-1-1.