

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION April 13, 2023

ITEM NO: 8	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-80-22-5
Location:	Northwest corner of 15th Avenue and Montebello Avenue
From:	PSC TOD-1
To:	WU Code T5:5 SL
Acreage:	12.15
Proposal:	Multifamily residential
Applicant:	Taylor C. Earl, Earl and Curley, P.C.
Owner:	Christown 1755, LLC
Representative:	Taylor C. Earl, Earl and Curley, P.C.

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Alhambra 2/28/2023 Approval, per staff recommendation, with modifications. Vote: 11-1.

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

Motion Discussion:

The applicant requested a correction to a typo in the Village Planning Committee recommended stipulation. Stipulation No. 2 should read that, "a minimum 10,000-square foot public open space area shall be provided nearby the Montebello Avenue streetscape and/or the 15th Avenue streetscape, as approved by the Planning and Development Department."

Motion details: Commissioner Busching made a MOTION to approve Z-80-22-5, per the Alhambra Village Planning Committee recommendation with a modification to Stipulation No. 2 as requested by the applicant.

Maker: Busching
Second: Mangum
Vote: 5-0
Absent: Gaynor, Gorraiz, Jaramillo, and Simon
Opposition Present: No

Findings:

1. The development advances the vision and recommendations contained in the Transit Oriented Development Strategic Policy Framework, the Solano Transit Oriented Development Policy Plan, and 19North Transit Oriented Development District 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 Christown Spectrum property.
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. A building setback regime shall be implemented along 15th Avenue as follows:
 - a. No structure taller than 24 feet or two stories shall be permitted within 60 feet of the 15th Avenue right-of-way line.
 - b. No structure taller than 36 feet or three stories shall be permitted within 150 feet of the 15th Avenue right-of-way line.
 - c. No structure taller than 48 feet or four stories shall be permitted within 210 feet of the 15th Avenue right-of-way line.
 - d. Maximum building height permitted under Walkable Urban Code T5:5 shall be permitted beyond 210 feet of the 15th Avenue right-of-way line.
2. A minimum 10,000 square foot public open space area shall be provided ~~in close proximity to the northwest corner of 15th Avenue and Montebello Avenue and shall be directly accessible~~ NEARBY ~~from the streetscape along~~ Montebello Avenue STREETScape and/or **THE** 15th Avenue STREETScape, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. A minimum of two NORTH TO SOUTH ORIENTED paseos PER SECTION 1304.H OF THE ZONING ORDINANCE shall be provided, ONE OF WHICH SHALL BE GENERALLY ALIGNED WITH THE MOVIE THEATER AND THE BACK ENTRANCE OF THE INDOOR MALL, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT ~~in the approximate areas identified in the site plan date stamped February 22, 2023.~~
 - a. ~~The area in Block B labeled pedestrian accessway~~
 - b. ~~The drive aisle area between the building of Phase 1 and Phase 2 generally aligned with the movie theater and the back entrance of the indoor mall.~~
4. The developer shall construct a minimum 6-foot-wide sidewalk and minimum 7-foot-wide landscape strip located between the back of curb and sidewalk along the north side of Montebello Avenue and the west side of 15th Avenue, as approved by the Planning and Development Department.
5. On-site pedestrian pathways shall be shaded to 50% by vegetative methods, as approved by the Planning and Development Department.
6. The developer shall deposit \$200,000.00 in an escrow account to the Street Transportation Department to fund a pedestrian crossing of Montebello Avenue between 15th and 17th Avenue, prior to final site plan approval during the second phase of development. Improvements may consist of additional curb, traffic control devices, signing and striping or as otherwise approved by the Street Transportation Department.

If the funds are not used after 5 years of certificate of occupancy for the second phase, the developer may request that the funds be returned from the Street Transportation Department.

7. The developer shall construct a minimum 6-foot-wide concrete raised bike lane, separated from the pedestrian sidewalk by a landscape strip, along the north side of Montebello Avenue to delineate vehicular and bicycle traffic extending from 15th Avenue to 17th Avenue during phase two of development, as approved by the Street Transportation Department.
8. The developer shall dedicate a minimum 8-foot-wide sidewalk easement along the north side of Montebello Avenue, as approved by the Planning and Development Department.
9. The developer shall replenish the existing streetscape along 15th Avenue with shade trees, as approved by the Planning and Development Department.
10. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
11. 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.
12. The developer shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - c. A bicycle repair station ("fix it station") shall be provided and maintained by the developer near a secure bicycle parking area.
13. 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.
14. A minimum of one milkweed shrub, or other native nectar species, shall be planted for every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
15. 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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