

## Attachment D

### REPORT OF PLANNING COMMISSION ACTION June 07, 2018

ITEM NO: 3	
	DISTRICT NO.: 5
SUBJECT:	
Application #:	Z-16-18-5 (Companion Case GPA-MV-2-18-5)
Location:	Northeast corner of SR-101 and Indian School Road
Request:	From: PUD PCD To: R1-6 Acreage: 131.27
Proposal:	Single-Family residential
Applicant:	Algodón AG Revocable Land Trust
Owner:	Algodón AG Revocable Land Trust
Representative:	Stephen W. Anderson, Gammage & Burnham, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, per the Addendum A Staff Report.

Village Planning Committee (VPC) Recommendation:

**Maryvale** 5/9/2018 Approval, per the staff recommendation. Vote: 5-4 (DePascal, Ellis, Shapiro, Weber).

Planning Commission Recommendation: Approval, per the Addendum A Staff Report.

Motion Discussion: N/A

Motion details – Commissioner Katsenes made a MOTION to approve Z-16-18-5, per the Addendum A Staff Report.

Maker: Katsenes  
Second: Whitaker  
Vote: 6-0 (Shank recused)  
Absent: Heck  
Opposition Present: No

#### **Findings:**

1. The proposal is not consistent with the General Land Use Map designation of Mixed Use (Commercial/Industrial). However, a companion General Plan Amendment request (GPA-MV-2-18-5) for a designation of Residential 3.5 to 5 dwelling units per acre is being processed concurrently.
2. The proposal, as stipulated and through compliance with the City of Phoenix Zoning and Subdivision Ordinances, is compatible with the surrounding land use patterns in the area.

3. The development will provide additional housing choices for Maryvale Village residents within the Loop 101 Major Employment Center and in close proximity to planned employment generating uses within the Algodón Center PUD to the south across Indian School Road.

Stipulations:

1. The project shall not exceed 524 lots.
2. A minimum of 4520 percent of the gross site area shall be retained as open space, as approved by the Planning and Development Department.
3. An average 100-foot-wide landscape setback shall be provided and maintained along the west boundary of the development as approved by the Planning and Development Department. Landscaping within the setback shall include a double row of trees with a minimum mixture of 1-½ inch (50%) and 1-inch (50%) caliper trees planted at a minimum of 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. ~~A pedestrian pathway shall be provided along the full length of the western boundary, within the 100-foot-wide landscape setback in accordance with the City of Phoenix standard trail detail, as approved by the Planning and Development Department.~~
4. A landscaped entry and monument sign(s) shall be provided at each entryway into the development from 91st Avenue and Indian School Road. The landscaped entries shall be a minimum of 250 square feet and be planted and maintained with a variety of at least three different plant materials, as approved by the Planning and Development Department.
5. ~~All sidewalks shall be detached with a minimum five-foot-wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by the property owner.~~

THE DEVELOPMENT'S CIRCULATION ELEMENTS (SIDEWALKS, TRAILS, AND TRAFFIC MITIGATION INFRASTRUCTURE) SHALL BE IN GENERAL CONFORMANCE WITH THE CIRCULATION PLAN DATE STAMPED JUNE 4, 2018, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT WITH SPECIFIC REGARD TO THE, SIZES, QUANTITIES AND LOCATIONS OF THE ELEMENTS AND THE INCLUSION OF THE FOLLOWING PROVISIONS.

- A. DETACHED SIDEWALKS SHALL INCLUDE A MINIMUM FIVE-FOOT-WIDE LANDSCAPED STRIP LOCATED BETWEEN THE SIDEWALK AND BACK OF CURB AND MINIMUM 2-INCH CALIPER SHADE TREES PLANTED A MINIMUM OF 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS ALONG BOTH SIDES OF THE SIDEWALK.
- B. EACH "DETACHED SIDEWALK CHOKER TRAFFIC CALMING" ELEMENT

SHALL BE A MINIMUM LENGTH OF 60 FEET AND THE PLANNING AND DEVELOPMENT DEPARTMENT SHALL HAVE THE AUTHORITY TO REDUCE THE MINIMUM LENGTH TO ACCOMMODATE OTHER SITE CONSIDERATIONS UPON REQUEST.

#### PUBLIC TRANSIT

6. The right-of-way shall be dedicated and bus stop pads constructed at the following  
~~7.~~ locations, as approved by the Planning and Development Department.
- Westbound Indian School Road
  - Southbound 91st Avenue south of Campbell Road
- The bus stop pads shall be built per City of Phoenix Standard Detail P1262 with a depth of at least 10 feet and placed between 60 and 110 feet from the intersections. Walk paths and pedestrian entrances to the community shall be provided near each bus stop.

#### STREETS

7. Right-of-way totaling 35 feet shall be dedicated for the west half of 91st Avenue, as  
~~8.~~ approved by Planning and Development Department.
8. The developer shall construct all streets within and adjacent to the development with  
~~9.~~ 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.
9. The applicant shall complete and submit the Developer Project Information Form for  
~~10.~~ the MAG Transportation Improvement Program to Mr. Alan Hilty, (602)262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
10. The applicant shall provide a signal warrant analysis for the intersection of 91st  
~~11.~~ Avenue and Campbell Avenue, as approved by the Street Transportation Department and the Planning and Development Department.
11. The Indian School Road access point shall be located to align with the 93rd Avenue  
~~12.~~ and Indian School Road major access point into the Algodón Center, as approved with the Planning and Development Department.

#### AVIATION

12. The property owner shall record a Notice to Prospective Purchasers of Proximity to  
~~13.~~ Airport in order to disclose the existence and operational characteristics of the City of Glendale Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney

#### OTHER

13. In the event archaeological materials are encountered during construction, the  
~~14.~~ 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. 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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