

## Attachment E

### REPORT OF PLANNING COMMISSION ACTION May 7, 2020

ITEM NO: 4	
	DISTRICT NO.: 1
SUBJECT:	
Application #:	Z-57-19-1
Location:	Approximately 435 feet north of the northeast corner of 29th Avenue and Dunlap Avenue
From:	C-2 and PSC
To:	C-2 HGT/WVR DNS/WVR
Acreage:	7.32
Proposal:	Multifamily residential
Applicant:	MK Company, Inc.
Owner:	GM Metro, LLC & GM Elped, LLC
Representative:	Jason Morris, Esq., Withey Morris, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations (Addendum A Staff Report).

Village Planning Committee (VPC) Recommendation:  
**North Mountain** 3/18/2020 Canceled.

Planning Commission Recommendation: Approval, per the staff recommendation with an additional stipulation.

#### Motion Discussion:

Commissioner Marcia Bushing stated that she does not agree with the motion because she is opposed to gated communities.

Motion details: Commissioner Shank made a MOTION to approve Z-57-19-1, per the staff recommendation with the additional stipulation as read into the record.

Maker: Shank  
Second: Howard  
Vote: 7-1 (Busching)  
Absent: Montalvo  
Opposition Present: No

#### Findings:

1. The development, as stipulated, advances the purpose and intent of several core values from the Phoenix General Plan including policy documents such as the North Mountain Redevelopment Area Plan, the Strategic Policy Framework for Transit Oriented Development, the Tree and Shade Master Plan, the Complete Streets Guidance, and the Comprehensive Bicycle Master Plan.

2. The development, as stipulated, is appropriate at this location due to its compatibility with the surrounding land uses and proximity to a future high-capacity transit line.
3. The proposed development is consistent with the Regional Center Place Type from the City's Transit Oriented Development Strategic Policy Framework.

Stipulations:

1. The development shall utilize the standards contained in R-5 (Multifamily Residence District), as approved by the Planning and Development Department.
2. The development shall utilize the Urban Area / Canalscape Treatments found in Section 507 Tab A.II.E.2., as approved by the Planning and Development Department.
3. The developer shall provide a vehicular and pedestrian accessway extending from 29th Avenue to the Black Canyon Freeway Frontage Road, as approved by the Planning and Development Department. For a minimum distance of 400 feet from 29th Avenue, the accessway shall include a pedestrian pathway which is detached from the vehicular circulation area by a minimum 3-foot, average 6-foot, wide landscape area planted with minimum 2-inch caliper shade trees, spaced 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. All elevations of the building shall contain architectural embellishments and detailing such as textural and materials changes, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
5. The development shall include architectural focal points at the northwest and southwest corners of the building mass which may be achieved through additional building articulation, height, and/or enhanced glazing to emphasize the corners and increase resident activity, as approved or modified by the Planning and Development Department.
6. A 30-foot average landscape setback shall be provided adjacent to 29th Avenue; and shall include large canopy shade trees placed 20 feet on center or in equivalent groupings, as described below and as approved by the Planning and Development Department.
  - a. Twenty-five percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper.
  - b. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at mature size.
7. The sidewalk along 29th Avenue shall be detached with a minimum 8-foot-wide landscape area located between the sidewalk and back of curb and be planted to the following standards, as approved by the Planning and Development Department.

Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings.
  - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
8. The developer shall provide an internal network of shaded pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department. The network shall:
  - a. Include a direct pedestrian pathway from the northwest corner of the site to the northwest corner of the building. This pathway shall be developed in conformance with the paseo standards contained in Section 1304.H. (2-6) and shall connect to the shared-use path along the Arizona Canal and the public sidewalk along 29th Avenue.
  - b. Include a direct pedestrian pathway from the southwest corner of the site to a primary building entrance located near the southwest corner of the building. This pathway shall be developed in conformance with the paseo standards contained in Section 1304.H. (2-6) and shall connect to the public sidewalk along 29th Avenue.
  - c. Include a direct pedestrian pathway from the central amenity area to the Arizona Canal at a point near the middle of the north property line. This pathway shall be developed in conformance with the paseo standards contained in Section 1304.H. (2-6) and shall connect to the shared-use path along the Arizona Canal.
  - d. The above referenced (a-c) shall include a clear separation from vehicular maneuvering areas with all vehicular crossings being clearly delineated using decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles.
9. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75 percent, as approved by the Planning and Development Department.
10. The development shall not permit solid walls above 40 inches within 60 feet of the 29th Avenue frontage and the Arizona Canal frontage, as approved by the Planning and Development Department.
11. All building elevations oriented to the west shall be designed to address the public realm, as described below and as approved or modified by the Planning and Development Department:

- a. Ground level units shall include a porch or patio:
    - 1. Patio Frontage:
      - i. Minimum depth of 8 feet.
      - ii. Minimum area of 64 square feet.
      - iii. Patio shall be enclosed on each side by a low wall not to exceed 36 inches in height.
      - iv. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be planted with live vegetation ground coverage and shrubs, excluding hardscape for pedestrian amenities.
    - 2. Porch Frontage:
      - i. Minimum depth of 6 feet.
      - ii. Minimum width of 50 percent of the unit façade.
      - iii. Minimum shade coverage of 75 percent of porch area.
  - b. For upper story elevations, all units oriented to the west shall have windows, and a minimum of 40 percent of all units shall have balconies with a minimum depth of 6 feet and all balconies shall achieve 50 percent shade.
12. The development shall activate the canal frontage, as described below and as approved or modified by the Planning and Development Department. This stipulation does not replace nor supersede provisions of the Canal Bank guidelines.
- a. If perimeter walls are proposed, a minimum of three pedestrian gates to the Arizona Canal shall be constructed including one within 50 feet of the northwest corner of the site and all gates being connected to the canal trail by an accessible path.
  - b. There shall be a minimum of ~~30~~ 20 TOTAL residential units WHICH HAVE WINDOWS, BALCONIES, PORCHES, OR PATIOS, located within 50 feet of the Arizona Canal Right of Way and oriented to it. These units shall be designed to interact with the Canal in the following ways:
    - i. Ground level units shall include a porch or patio, as described below and as approved by the Planning and Development Department:
      - a. Patio Frontage:

1. Minimum depth of eight feet.
    2. Minimum area of 64 square feet.
    3. Patio shall be enclosed on each side by a low wall not to exceed 36 inches in height.
    4. The area between the property line and main facade of the building which is not improved with permanent hardscape shall be planted with live vegetation ground coverage and shrubs, excluding hardscape for pedestrian amenities.
  - b. Porch Frontage:
    1. Minimum depth of six feet.
    2. Minimum width of 50 percent of the unit façade.
    3. Minimum shade coverage of 75 percent of porch area.
  - ii. For upper story elevations, all units oriented to the canal shall have windows, and a minimum of 40 percent of all units shall have balconies with a minimum depth of 6 feet and the all balconies shall achieve 50 percent shade.
  - c. The setback area between the north building elevations and the Arizona Canal Right of Way shall be planted with large canopy shade trees placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Twenty five percent of the trees shall be minimum 4-inch caliper and 75 percent of the trees shall be minimum 3-inch caliper.
  - d. There shall be visual design continuity between the central amenity area and the Arizona Canal reinforced through design features such as: bollard lighting; thematic landscaping; patterned hardscape; or artistic features.
13. No individual garage unit entrances shall be visible from the north or west property lines.
14. The applicant shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
- a. A bicycle repair station ("fix it station") shall be provided on the site or within the main building. The station shall include: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.

- b. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces. These spaces may be provided through a combination of "Secure/Covered Facilities" and "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan. "Outdoor/Covered Facilities" shall comprise no more than 60 percent of required resident bicycle parking.
  - c. Guest bicycle parking shall be provided through the provision of a minimum of eight inverted U-bicycle racks, artistic style racks or "Outdoor/Covered Facilities" for guests shall be located near building entrances and installed per the requirements of Section 1307.H of the Zoning Ordinance. All racks shall be adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan.
- 15. The developer shall provide a recorded cross access and common driveway agreements for the parcels to the south, east, and southeast to allow shared ingress/egress. The agreement is to be reviewed and approved by the Planning and Development Department prior to recordation with Maricopa County.
  - 16. There shall be a maximum of ONE DRIVEWAY ~~two driveways~~ along 29th Avenue ~~with the northern driveway being emergency access only~~, as approved by the Street Transportation Department.
  - 17. The developer shall coordinate with the Traffic Services Division of the Street Transportation Department to identify an appropriate pedestrian crossing at 29th Avenue and the Arizona Canal as required by Section 507 TAB A.II.E.2.2.4.2 of the Phoenix Zoning Ordinance, as approved by the Street Transportation Department.
  - 18. 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.
  - 19. 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.
  - 20. 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 Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.