

ATTACHMENT E

REPORT OF PLANNING COMMISSION ACTION February 2, 2023

ITEM NO: 11	
	DISTRICT NO.: 6
SUBJECT:	
Application #:	Z-68-22-6
Location:	Approximately 1,500 feet south of the southeast corner of 50th Street and Ray Road
From:	CP/GCP
To:	C-2 HGT/WVR DNS/WVR
Acreage:	14.33
Proposal:	Multifamily residential with a height and density waiver
Applicant:	Dennis M. Newcombe, Gammage & Burnham, PLC
Owner:	P8 Phoenix Foothills, LLC
Representative:	Manjula M. Vaz, Gammage and Burnham, PLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Ahwatukee Foothills 12/19/2022 Continued to January 23, 2023. Vote: 8-0.

Ahwatukee Foothills 1/23/2023 Approval, per the staff recommendation (Addendum A).
Vote: 6-2.

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

Motion Discussion: N/A

Motion details: Commissioner Jaramillo made a MOTION to approve Z-68-22-8, per the Ahwatukee Foothills Village Planning Committee recommendation.

Maker: Jaramillo
Second: Busching
Vote: 9-0
Absent: None
Opposition Present: Yes

Findings:

1. As stipulated, the proposed development will include a unit maximum, and design elements, such as enhanced architecture, landscaping, and open space to mitigate the impacts to the surrounding properties.
2. The proposal will redevelop an underutilized property and provide a high-quality multifamily residential development which is consistent with the surrounding land uses.
3. The proposal will allow for additional housing opportunities in the Village and will help alleviate the housing crisis.

Stipulations:

1. The development shall be in general conformance with the elevations date stamped September 21, 2022, as modified by the following and as approved by the Planning and Development Department.
 - a. Building elevations adjacent and oriented to public streets shall contain a minimum of 25% brick, masonry, stone, or another exterior accent material that exhibits quality and durability.
 - b. All ground floor units adjacent to 50th Street shall have individual porches or patios oriented to the street.
2. The development shall be limited to a maximum of 417 dwelling units.
3. A minimum of six amenities shall be provided and distributed throughout the site which may include but are not limited to pools, dog parks, barbeques, ramadas, and tot lots with shade equipment as approved by the Planning and Development Department.
4. A minimum of 8% of the gross project area shall be retained as common open space, as approved by the Planning and Development Department.
5. A minimum 34,000-square foot open space area shall be centrally located within the development.
6. Prior to final site plan approval, the developer shall include with the building plans submitted for Phoenix Building Construction Code compliance review certification by a registered Professional Engineer or registered Professional Architect in the State of Arizona demonstrating the average indoor noise levels of the residential units shall not exceed a decibel day night-level (DNL) of 45 decibels, as approved by the Planning and Development Department.
7. A perimeter wall no less than 6 feet in height shall be provided along the I-10 freeway. This wall shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped design, as approved by the Planning and Development Department.
8. All required landscape setbacks shall be planted with minimum 25% 2-inch caliper and minimum 75% 3-inch caliper, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
9. A minimum of 10% of the required shrubs shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
10. All uncovered surface parking spaces shall be landscaped with minimum 2-inch caliper large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the uncovered surface parking spaces, to achieve a minimum 25% shade at maturity, as approved by Planning and Development Department.
11. Pedestrian pathways shall be provided to connect building entrances, public sidewalks, and community amenities, using the most direct route for pedestrians, as approved by the Planning and Development Department.

12. Where pedestrian pathways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped, or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
13. A minimum of 20 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
14. The developer shall maintain the existing detached sidewalk landscape area located between the back of curb and sidewalk along 50th Street and replenish it to the following standards, as approved by the Planning and Development Department.
 - a. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.

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

15. The developer shall submit a Traffic Impact Analysis for this development. The TIA shall include a pedestrian crossing demand and circulation analysis along 50th Street. The developer shall be required to fund and construct pedestrian crossing if required by the approved TIA. No preliminary approval of plans shall be granted until the study has been reviewed and approved by the city.
16. The developer shall provide secured bicycle parking for residents as required by Chapter 13, Section 1307 H of the Zoning Ordinance, as approved by the Planning and Development Department.
17. 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.
18. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2705M of the Flood Insurance Rate Maps (FIRM) dated June 26, 2020. The following requirements shall apply, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Street Transportation Department for review and approval of Floodplain requirements.

- c. Elevation Certification (FEMA Form 086-0-33) based on construction plans must be received and approved by Floodplain Management prior to issuance of Grading & Drainage permit. In Zone A, a base flood elevation determination letter (sample letter is provided by Floodplain Management upon request) and exhibit will also be required prior to issuance of Grading & Drainage permit.
 - d. The developers shall provide a FEMA approved ~~CLOMR-F or CLOMR~~ CLOMC or LOMC prior to issuance of a Grading and Drainage permit. ~~CLOMR-F and CLOMR~~ CLOMC or LOMC also requires the following compliance with Section 7 & 9 of the Endangered Species Act (ESA)
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.

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