

Attachment B

REPORT OF PLANNING COMMISSION ACTION August 3, 2017

ITEM NO: 3	
	DISTRICT NO.: 8
SUBJECT:	
Application #:	Z-10-17-8
Location:	Approximately 250 feet north and 580 feet east of the northeast corner of 7th Street and Mineral Road
Request:	RH BAOD To: R-3 BAOD Acreage: 28.98
Proposal:	Multifamily Residential
Applicant:	7th Street Development Company
Owner:	Vistal Highlands, LLC c/o Taylor Tryhus
Representative:	Berry Riddell, LLC c/o Wendy Riddell

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:
South Mountain 7/11/2017 Denial. Vote: 9-1.

Planning Commission Recommendation: Approved, per the staff recommendation.

Motion discussion:

Ms. Escolar stated that staff has concerns with the recommended approval of the R-3 zoning since the General Plan Amendment was denied as filed and approved as 5 to 10 dwelling units per acre. The zoning would not be consistent with the recommended General Plan designation.

Ms. Riddell explained that the zoning is stipulated to a unit count that will be consistent with the General Plan designation.

Motion details – Commissioner Glenn made a MOTION to approve Z-10-17-8 per the staff recommendation.

Maker: Glenn
Second: Shank
Vote: 6-0
Absent: Katsenes and Montalvo
Opposition Present: No

Findings:

1. The proposal is not consistent with the General Land Use Map designations of Residential 0-1 dwelling units per acre, Commercial, and Parks/Open Space – Private, or the R – Resort designation intended to identify the general location of a future resort site. Additionally, the gross acreage exceeds 10 acres. However, a companion General Plan

amendment request (GPA-SM-1-17-8) is being processed concurrently, and the zoning is stipulated to a unit count that will be consistent with the recommended General Plan designation.

2. The R-3 zoning district will introduce a housing type and density lacking in the surrounding area and promote the development of a diverse neighborhood with a mix of residential land uses.
3. As stipulated, the proposal is adequately buffered from the South Mountain Park and Preserve and includes architectural, design, and landscaping regulations which mitigate potential impacts of the development.

Stipulations:

1. The development shall not exceed 290 lots.
2. Building elevations shall complement the architecture of the developments to the north, as approved by the Planning and Development Department.
3. All elevations of the building shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
4. If units are within 50 feet of the South Mountain Park and Preserve edge, development shall be designed so that a minimum of 50% of residential units adjacent to park and preserve open space shall face on to, or provide balconies or patios adjacent to the South Mountain Park and Preserve, as approved by the Planning and Development Department.
5. No surface parking shall be located within 50 feet of the South Mountain Park and Preserve or private undisturbed open space.
6. A minimum of 11% of the gross project area shall be retained as open space, including washes and hillside areas, as approved by the Planning and Development Department.

PARKS AND RECREATION

7. No pedestrian connection to the South Mountain Park and Preserve shall be constructed unless first approved by the Parks and Recreation Department.
8. The developer shall dedicate a one foot vehicular non-access easement (VNAE) along the shared property line with the South Mountain Park and Preserve.
9. Construction activities shall not encroach on the South Mountain Park and Preserve.

LANDSCAPING, FENCING, & WALLS

10. Landscape setbacks shall be planted only with landscape materials listed in the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines in the Phoenix Zoning Ordinance (Appendix A), as approved by the Planning and Development Department.

11. Primary entry features and open spaces shall be planted only with landscape materials listed in the Baseline Area Master Plan Plant List or the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines in the Phoenix Zoning Ordinance (Appendix A), as approved by the Planning and Development Department.
12. Walls adjacent to the South Mountain Park and Preserve shall contain 100% view fencing materials such as wrought-iron, split rail, or farm fencing, as approved by the Planning and Development Department.
13. Walls adjacent to open space areas and perimeter landscape setbacks shall contain a minimum of 50% view fencing materials such as wrought-iron, split rail, or farm fencing, as approved by the Planning and Development Department.

ARCHAEOLOGY

14. The applicant shall submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval. Archaeological monitoring and/or testing may be necessary based upon the results of the survey. A qualified archaeologist must make this determination in consultation with the City Archaeologist.

STREETS

15. 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.
16. The applicant shall submit a Traffic Impact Study that evaluates whether the development provides sufficient access to support the proposed density to the Street Transportation Department. The study must be approved prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development and Street Transportation Departments.

This publication can be made available in alternate format upon request. Please contact Tamra Ingersoll at (602) 534-6648, TTY use 7-1-1.



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT

Staff Report: Z-10-17-8
June 30, 2017

South Mountain Village Planning Committee Hearing Date	July 11, 2017
Planning Commission Hearing Date	August 3, 2017
Request From	RH BAOD (28.98 acres)
Request To	R-3 BAOD (28.98 acres)
Proposed Use	Multifamily Residential
Location	Approximately 250 feet north and 580 feet east of the northeast corner of 7th Street and Mineral Road
Owner	Vistal Highlands, LLC c/o Taylor Tryhus
Applicant	7th Street Development Company
Representative	Berry Riddell, LLC c/o Wendy Riddell
Staff Recommendation	Approval, subject to stipulations

General Plan Conformity	
General Plan Land Use Designation	Residential 0-1 dwelling units per acre Commercial Parks/Open Space - Private
Street Map Classification	No Street Frontage
<i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; LAND USE PRINCIPLE: Protect and enhance the character of each neighborhood and its various housing lifestyles through new development that is compatible in scale, design, and appearance.</i> As stipulated, the elevations shall complement the architectural style of adjacent developments to the north and include embellishments and detailing. Additionally, open space and landscaping requirements are consistent with stipulated requirements of adjacent developments to the north.	
<i>CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to prevent negative impact(s) on the residential properties.</i>	

As stipulated, the proposed development shall not exceed 290 lots. Additionally, stipulations require a minimum of 11 percent of the gross project area be retained as open space, which is consistent with the character of the surrounding area.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Promote neighborhood identity through planning that reinforces the existing landscaping and character of the area. Each new development should contribute to the character identified for the village.

The subject property is adjacent to the South Mountain Park and Preserve along its entire southern border. Staff stipulations address building orientation along this border, minimum open space requirements, plant materials in the Sonoran Preserve Edge Treatment Guidelines, and open fencing. These regulations are consistent with the character of development adjacent to the Park.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CERTAINTY & CHARACTER; DESIGN PRINCIPLE: Integrate into the development design natural features such as washes, canals, significant topography and existing vegetation, which are important in providing character to new subdivisions.

As stipulated, the development shall be required to retain a minimum of 11 percent of the gross project area as open space, including washes and hillside areas to promote the preservation of these natural features.

CELEBRATE OUR DIVERSE COMMUNITIES & NEIGHBORHOODS; CONNECTED NEIGHBORHOODS; DESIGN PRINCIPLE: Design and locate new neighborhoods to promote access (both physical and visual) to parks and open space. New developments should also provide convenient pedestrian and bicycle access to transit stops, schools and other neighborhood amenities.

Staff stipulations address building orientation adjacent to the Park, restrict parking adjacent to the Park, and require view fencing to promote visual access. The development is also in close proximity to an official trailhead located on 14th Street.

BUILD THE SUSTAINABLE DESERT CITY; DESERT LANDSCAPE; DESIGN PRINCIPLE: Preserve the interface between private development and parks, preserves and natural areas (edge treatment).

Staff stipulations regarding building orientation, surface parking, approved plants, and view fencing are drawn from the design guidelines and regulations in the Sonoran Preserve Edge Treatment Guidelines.

***BUILD THE SUSTAINABLE DESERT CITY; TREES & SHADE; DESIGN PRINCIPLE:
Plant drought tolerant vegetation and preserve existing mature trees in new
development and redevelopment.***

As stipulated, only landscape materials listed in the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines shall be utilized in landscape setbacks.

Area Plans

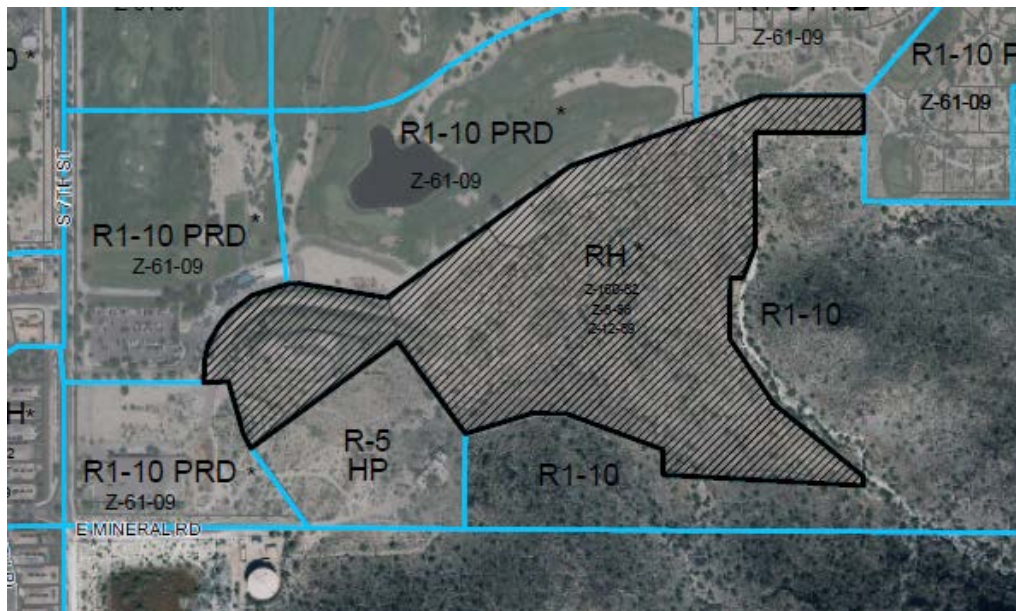
The property is located within the boundaries of the Baseline Area Overlay District (BAOD). The BAOD is designed to encourage and protect the rural, agricultural character of the area while allowing development in accord with the Baseline Area Master Plan. This rezoning request does not eliminate requirements for conformance with this overlay district. The proposal shall comply with all regulations in the BAOD.

Surrounding Land Uses/Zoning

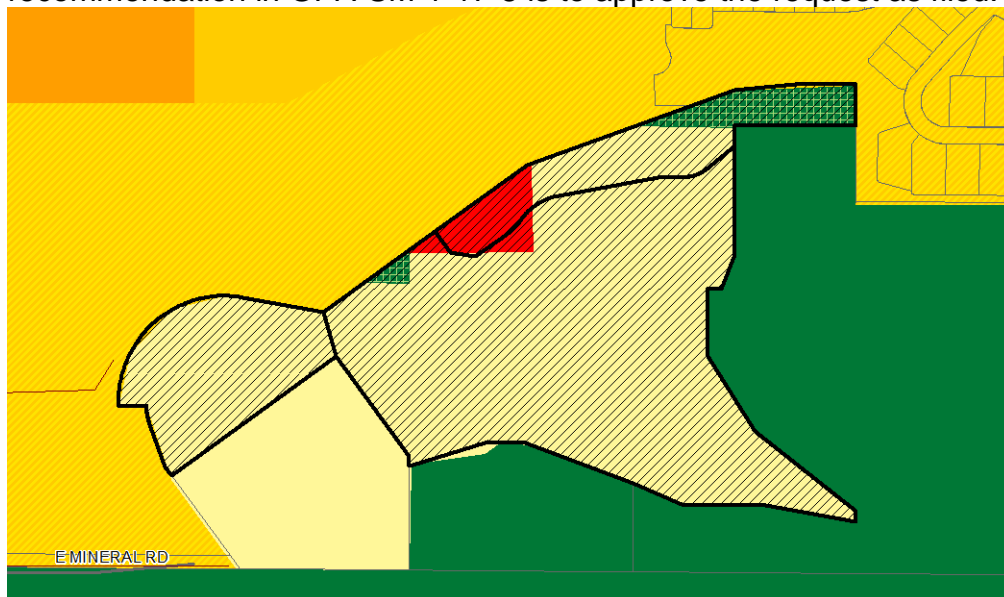
	<u>Zoning</u>	<u>Land Use</u>
On Site	RH	Vacant
North	R1-8, R1-10	Vacant
South	R-5 HP, R1-10	Mystery Castle, South Mountain Park and Preserve
East	R1-10	Vacant
West	R1-10	Vacant, Golf Course Maintenance Building, Parking Lot

Background/Issues/Analysis

1. This request is to rezone 28.98 acres located approximately 250 feet north and 580 feet east of the northeast corner of 7th Street and Mineral Road from RH BAOD (Resort District, Baseline Area Overlay District) to R-3 BAOD (Multifamily Residence District, Baseline Area Overlay District) to allow multifamily residential.



2. The subject property's General Plan Land Use Map designations include Residential 0-1 dwelling units per acre, Commercial, and Parks/Open Space - Private. The property also has an R – Resort designation intended to identify the general location of a future resort site. The proposal is not consistent with the existing designations. General Plan Amendment Case No. GPA-SM-1-17-8 is being processed concurrently as a companion case to amend the General Plan Land Use Map designation to Residential 10-15 dwelling units per acre and remove the R – Resort designation. The staff recommendation in GPA-SM-1-17-8 is to approve the request as filed.



3. The existing zoning on the property was established in rezoning case no. Z-12-89 to allow a resort, hotel, and related accessory uses, intended to develop as the South Mountain Resort. The resort was intended to operate in tandem with the Thunderbird Golf Course, which comprised the area adjacent to the subject property to the north. The resort did not develop and the Thunderbird Golf Course has ceased operations. In

rezoning case no. Z-61-09, the golf course property was rezoned to permit single and multifamily residential development in the R1-18, R1-10, R1-8, R1-6, and R-2 districts. These properties are being developed as a master planned community called Vistal. The subject property has recently been acquired by the same ownership entity and is intended to be integrated in the Vistal Master Plan.

4. The subject property is comprised of three parcels with no street frontage. Access to the subject property is intended to be provided through shared access with planned private streets in the adjacent Vistal development, connecting to both 7th Street and Dobbins Road.

The property is vacant and consists almost entirely of undisturbed desert landscape. On the western portion of the property there is a manmade landform originally intended to be developed as part of the planned resort. There are several natural washes that run through the site which are intended to be preserved and integrated into the site design. Staff stipulations address including these washes and hillside areas in the calculation of required minimum open space.

Properties to the north of the site are vacant, zoned R1-10 and R1-8, and are part of the Vistal master planned community.

Properties to the east and west of the site are primarily vacant, zoned R1-10, and are part of the Vistal master planned community. To the southwest of the site is a maintenance building that previously housed equipment for the Thunderbird Golf course.

Adjacent to the south is the Mystery Castle and the South Mountain Park and Preserve. The Mystery Castle is a privately operated cultural site which is renowned for its unique architectural and historical significance. South Mountain park is one of the largest municipal parks in the country and one of the most important natural, cultural, and recreational amenities in the City of Phoenix.

SITE PLAN, ELEVATIONS, LANDSCAPING

5. The conceptual site plan proposes 23 individual multifamily residential buildings to be developed on the eastern portion of the site. There is a large natural wash that runs through the center of the site with 13 of these buildings to the west and 10 buildings to the east. A detention basin is located along the northeastern boundary of the site. The site plan indicates that each building is proposed to contain 12 units, for a total of 276 multifamily units. Building height is limited to 2-stories and 30-feet in height. The two southernmost parcels are both designated as hillside properties and would be subject to the hillside height requirement which states that no building shall exceed a height of two (2) stories, not to exceed thirty (30) feet above the natural grade of the lot or parcel at any section through the structure.

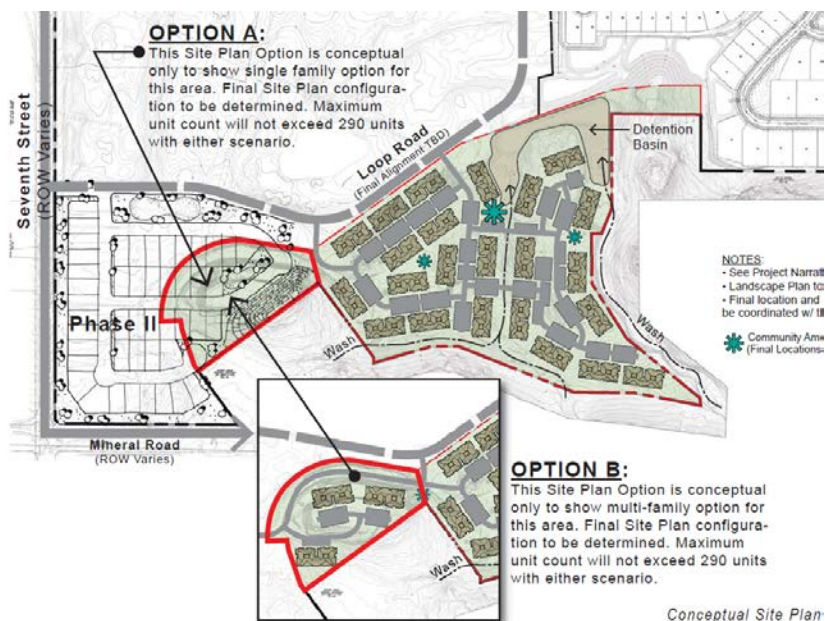
For the westernmost parcel, the conceptual site plan indicates two development options. Option A shows this portion of the subject property developed with 14 single-family residential lots which are integrated into a subdivision plan that crosses over into property within the existing Vistal Master Plan which is zoned R1-10. Option B shows

this portion of the subject property developed with 3 additional multifamily residential buildings similar to those shown on the eastern portion of the site. This westernmost parcel also contains the manmade landform discussed in Background Item #4.

Because the final design and layout is subject to the determination of how this manmade landform may be altered through the development process and whether this portion of the site is developed with single or multifamily residential, staff does not recommend general conformance to the site plan. However, staff stipulations restrict development to a maximum of 290 units on the site. This reflects the proposed number of units in both site plan options. The 290 units constitutes a proposed density of 10 dwelling units per gross acre. While this density may be accommodated in the R-2 zoning district, staff recommends approval of the request to rezone to the R-3 district. The Hillside Development regulations in Zoning Ordinance Section 710.C.1.a regulates the maximum permitted density within areas of a hillside property based on the slope category. Rezoning the site to the R-2 district may further restrict the permitted units due to the slope categories on the subject property.

Staff stipulations also require the provision of a minimum of 11% of the gross project area as open space. This requirement is consistent with the minimum required open space stipulated for the Vistal community adjacent to the north. The open space may include washes and hillside areas.

6. The conceptual elevations submitted with the request are renderings of proposed buildings. Due to the lack of specific, quantifiable details, staff does not recommend conformance to the conceptual elevations. However, staff stipulations require the provision of architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies. These details reflect certain design elements as shown on the conceptual elevations.



HILLSIDE TOWNHOME PRODUCT ELEVATIONS CONCEPT



Additionally, because the subject property is intended to be integrated in the Vistal Master Plan, staff stipulations require that building elevations complement the architecture of developments to the north.

7. Staff stipulations permit only landscape materials listed in the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines in the Phoenix Zoning Ordinance (Appendix A) within landscape setbacks. This is intended to provide consistency with and protection for the extensive southern border adjacent to the South Mountain Park and Preserve. Plants listed within the Baseline Area Overlay District are permitted within the primary entry features and open spaces, which are located either within the site or along property lines adjacent to residentially zoned properties within the Vistal Master Plan.

Additionally, staff stipulations address fencing and require the provision of 100% view fencing in all areas adjacent to the South Mountain Park and Preserve. View fencing may include wrought-iron, split rail, or farm fencing. This stipulation is intended to preserve and promote unimpeded visual access to South Mountain Park. For all open spaces and perimeter landscape setbacks in other locations, a minimum of 50% view fencing is stipulated.

SOUTH MOUNTAIN PARK & PRESERVE

8. The subject property is directly adjacent to the South Mountain Park and Preserve. The shared property line constitutes the majority of the southern property line and approximately 3,200 feet in length. The South Mountain Park and Preserve is a unique and important public amenity that requires close attention to protect and maintain the integrity of its desert biome, ecosystem, and recreational amenities. Staff stipulations address a variety of concerns related to this proximity:

- Units within 50 feet of the Park and Preserve edge shall be designed so that a minimum of 50% of these units face the Park or provide adjacent balconies or patios. This stipulation is intended to promote visual access to the Park.
- No surface parking is permitted within 50 feet of the South Mountain Park and Preserve or private undisturbed open space. This stipulation is intended to minimize the impacts of the development on the Park and Preserve edge. Additionally, the visual impact of a parking lot should not decrease the enjoyment of public or private undisturbed areas for residents.
- No pedestrian connection to the South Mountain Park and Preserve is permitted unless first approved by the Parks and Recreation Department. The recent approval of the South Mountain Park Trails Master Plan included the designation of new public access trailheads, elimination of some existing trailheads, and efforts to reduce social and spider trails. The subject property is in close proximity to an officially designated public access trailhead at 14th Street. The Parks and Recreation Department indicated that this trailhead should serve as the primary trailhead for residents in the surrounding area. This stipulation is intended to regulate park access by discouraging informal trails along the southern border of the subject property. The developer should work to integrate trail access at 14th Street by providing connectivity with the stipulated trail system in the Vistal master plans.
- Additional stipulations require the dedication of a one foot vehicular non-access easement (VNAE) along the shared property line with the South Mountain Park and Preserve and a prohibition on construction activities encroaching on the South Mountain Park and Preserve. These stipulations are intended to further preserve the integrity of the South Mountain Park and Preserve and its interface with the proposed development.

TRAFFIC STUDY

9. The proposed development has no street frontage. Connectivity to public streets in the surrounding area (7th Street, Dobbins Road, and/or Mineral Road) would necessitate that access be provided through adjacent properties. To the north and west of the subject site residentially zoned properties in the Vistal master planned community.

Staff stipulations require the applicant to submit a Traffic Impact Study that evaluates whether the development provides sufficient access to support the proposed density prior to preliminary site plan review. Additionally, the applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study.

DEPARTMENT COMMENTS

10. The City of Phoenix Archaeology Office indicated that the project area is located on an undeveloped parcel and that several petroglyphs have been recorded within and surrounding this project area. They also indicated that no archaeological work has previously been conducted within this project area. They recommended that this project area undergo an archaeological survey. Staff stipulations require an archaeological survey report.
11. The Phoenix Fire Department indicated that they do not anticipate problems with this case and that the site and/or buildings shall comply with the Phoenix Fire Code.
12. Floodplain Management indicated that the parcel is not in a Special Flood Hazard Area (SFHA), but is located in a Shaded Zone X, on panel 2680/2685 L of the Flood Insurance Rate Maps (FIRM) dated October 16, 2013.
13. The Parks and Recreation Department requires that no direct pedestrian connection be constructed between the proposed development and South Mountain Park. The recently approved South Mountain Park Trails Master Plan identified the trailhead on 14th Street as the closest approved access point to the Park. Additionally, a one foot vehicular non-access easement (VNAE) is required along the southern border of the site where adjacent to the Park and Preserve.
14. Staff stipulations require the developer to update all existing off-site street improvements, including sidewalks, curb ramps and driveways, adjacent to the project to current ADA guidelines, as approved by the Street Transportation and Planning and Development Departments.
15. The Public Transit and Water Services Department have no concerns regarding the request.

MISCELLANEOUS

16. As part of the Reimagine Phoenix initiative, the City of Phoenix is committed to increasing the waste diversion rate to 40 percent by 2020 and to better manage its solid waste resources. Section 716 of the Phoenix Zoning Ordinances establishes standards to encourage the provision of recycling containers for multi-family, commercial and mixed-use developments meeting certain criteria. The provision of recycling containers was not addressed in the applicant's submittals.
17. Development and use of the site is subject to all applicable codes and ordinances. Zoning approval does not negate other ordinance requirements. Other formal actions such as, but not limited to, zoning adjustments and abandonment may be required.

Findings

1. The proposal is not consistent with the General Land Use Map designations of Residential 0-1 dwelling units per acre, Commercial, and Parks/Open Space – Private, or the R – Resort designation intended to identify the general location of a future resort site. Additionally, the gross acreage exceeds 10 acres. However, a companion General Plan amendment request (GPA-SM-1-17-8) is being processed concurrently.
2. The R-3 zoning district will introduce a housing type and density lacking in the surrounding area and promote the development of a diverse neighborhood with a mix of residential land uses.
3. As stipulated, the proposal is adequately buffered from the South Mountain Park and Preserve and includes architectural, design, and landscaping regulations which mitigate potential impacts of the development.

Stipulations

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Writer

Adam Stranieri

June 30, 2017

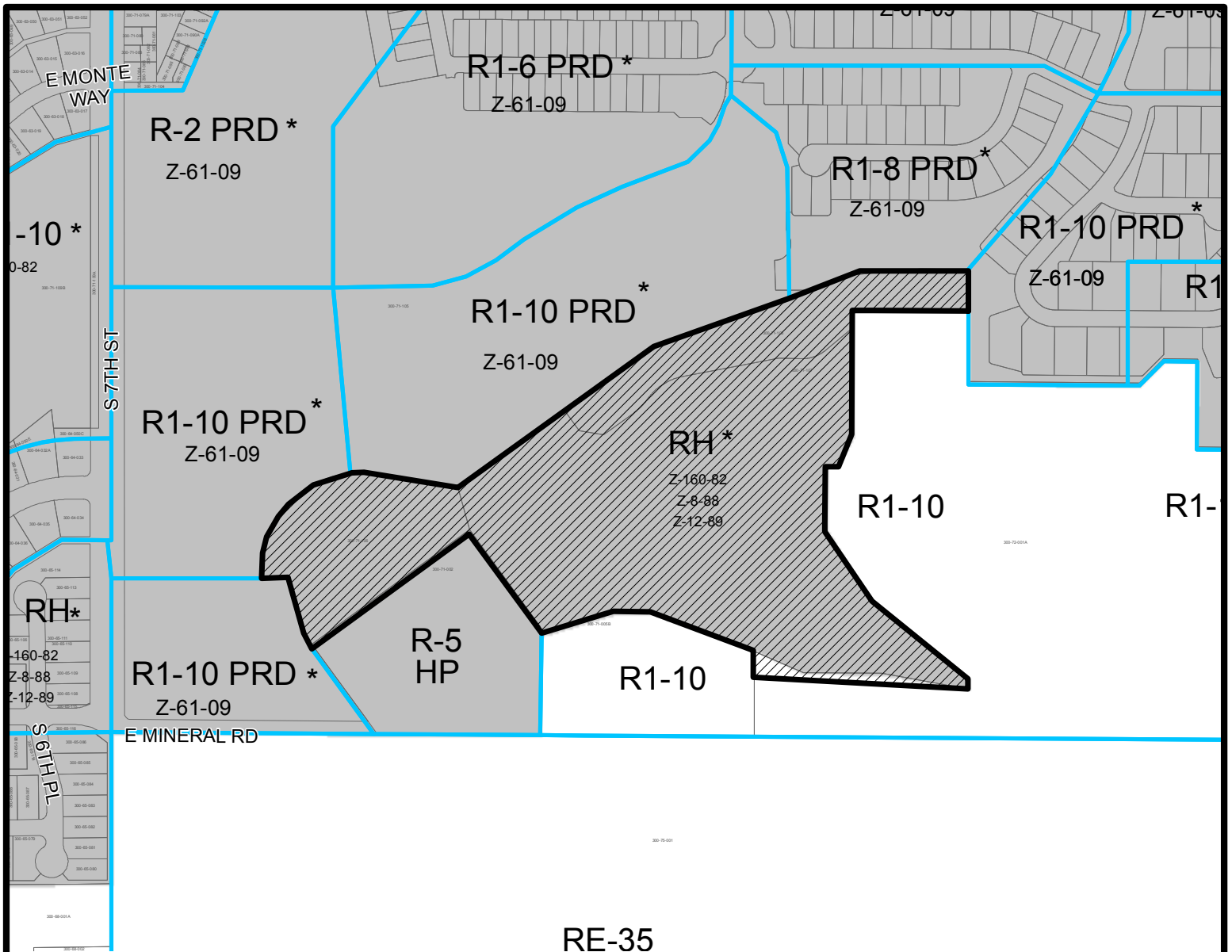
Team Leader

Joshua Bednarek

Exhibits

Sketch Map

Aerial



RE-35



Feet

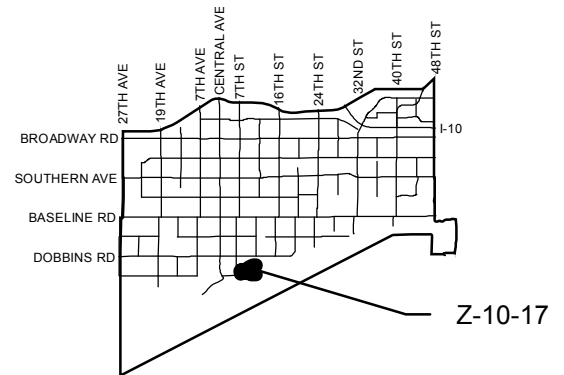
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SOUTH MOUNTAIN VILLAGE

CITY COUNCIL DISTRICT: 8



City of Phoenix
PLANNING AND DEVELOPMENT DEPARTMENT



APPLICANT'S NAME:

7th Street Development Company

APPLICATION NO. Z-10-17

DATE: 02/10/2017
REVISION DATES:

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

28.98 Acres

AERIAL PHOTO &
QUARTER SEC. NO.
QS 03-29

ZONING MAP
C-8

REQUESTED CHANGE:

FROM: RH BAOD, (28.98 a.c.)

TO: R-3 BAOD, (28.98 a.c.)

MULTIPLES PERMITTED

RH BAOD

R-3 BAOD

CONVENTIONAL OPTION

579

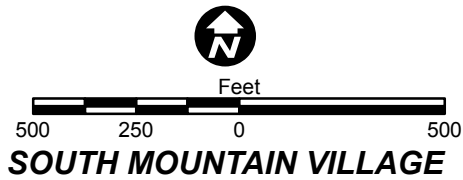
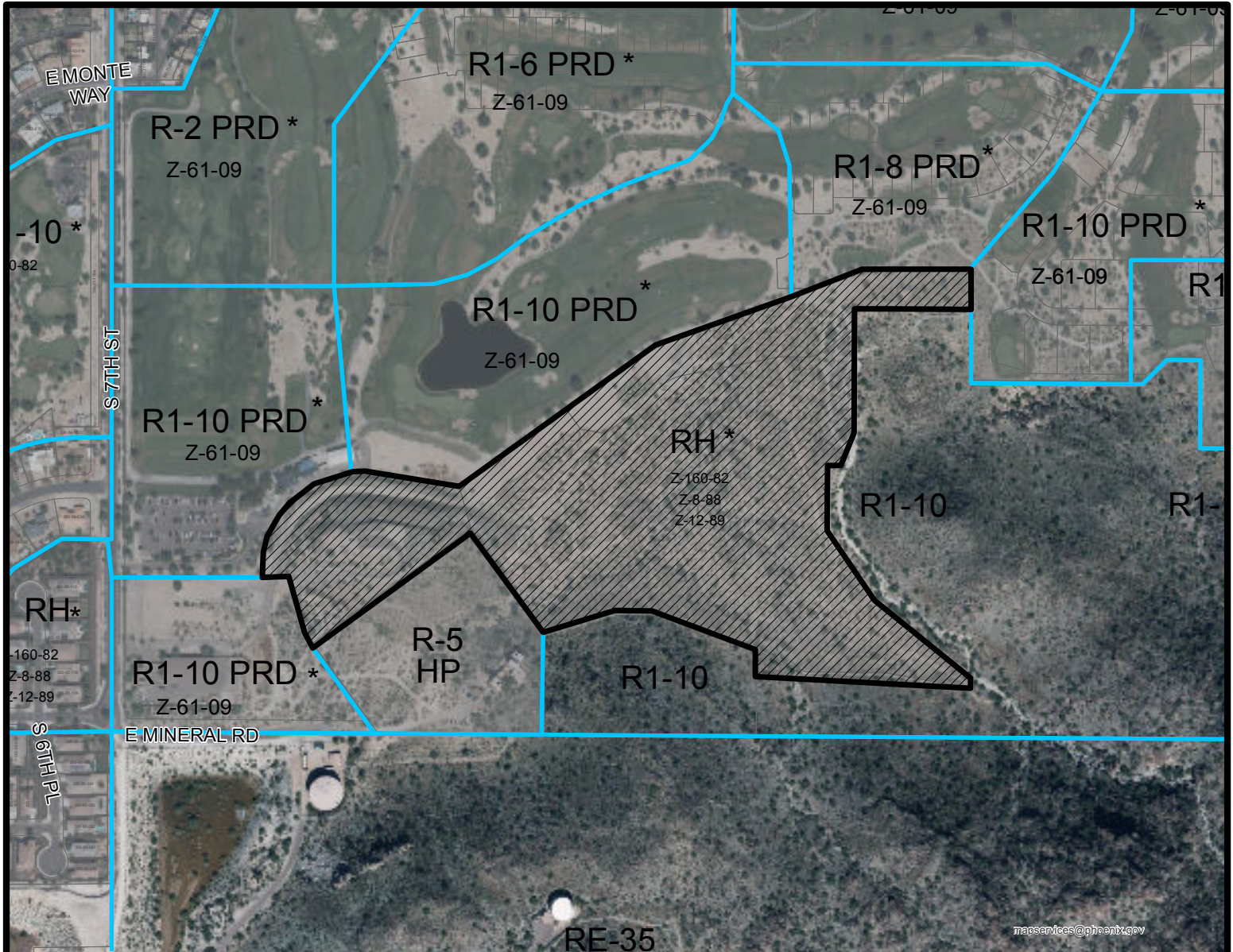
420

*** UNITS P.R.D. OPTION**

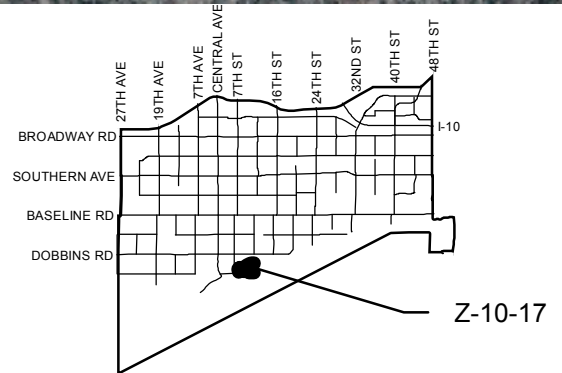
N/A

504

* Maximum Units Allowed with P.R.D. Bonus



CITY COUNCIL DISTRICT: 8



APPLICANT'S NAME: 7th Street Development Company

APPLICATION NO. Z-10-17

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

28.98 Acres

DATE: 02/10/2017
REVISION DATES:

AERIAL PHOTO &
QUARTER SEC. NO.
QS 03-29

ZONING MAP
C-8

REQUESTED CHANGE:

FROM: RH BAOD, (28.98 a.c.)

TO: R-3 BAOD, (28.98 a.c.)

MULTIPLES PERMITTED

RH BAOD

R-3 BAOD

CONVENTIONAL OPTION

579

420

* UNITS P.R.D. OPTION

N/A

504

* Maximum Units Allowed with P.R.D. Bonus