

Attachment D

REPORT OF PLANNING COMMISSION ACTION June 3, 2021

ITEM NO: 11	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-49-20-3
Location:	Approximately 970 feet north of the northeast corner of 34th Street and Sweetwater Avenue
From:	R1-6
To:	R-3
Acreage:	1.11
Proposal:	Community Residence Center
Applicant:	Matt Ihms
Owner:	Fedzin Enterprises, LLC
Representative:	Matt Ihms

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 5/3/2021 Approval, per the staff recommendation. Vote: 11-6.

Planning Commission Recommendation: Approval, per the Paradise Valley Village Planning Committee recommendation with an additional stipulation.

Motion Discussion: N/A

Motion details: Commissioner Busching made a MOTION to approve Z-49-20-3, per the Paradise Valley Village Committee recommendation, with the additional stipulation, as read into the record.

Maker: Busching
Second: Perez
Vote: 8-0
Absent: Gorraiz
Opposition Present: Yes

Findings:

1. This proposed development provides a new non-traditional housing option that is consistent with surrounding developments and serves a need in the community for disabled individuals.
2. The development, as stipulated, will maintain an appropriate scale to ensure that it remains compatible with the area.

3. This development proposes to develop an asymmetrical parcel that is bounded by a wash and freeway with a use that is consistent with the goals of the State Route 51 & Loop 101 Scenic Corridor Policy plan.

Stipulations:

1. The development shall maintain a minimum 50-foot building setback, exclusive of carports and perimeter walls, from the southern site boundary where adjacent to R1-6 zoning.
2. The maximum building height shall be limited to 2 stories and 30 feet.
3. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
4. All elevations of the building(s) shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.
5. The required landscape setbacks shall include minimum 2-inch caliper large canopy shade trees, planted 20 feet on center or in equivalent groupings, and five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
6. Where a landscaped median is provided within the ingress or egress to the site, a landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover, as approved by the Planning and Development Department.
7. Perimeter walls shall be constructed to the following standards, as approved by the Planning and Development Department.
 - a. Perimeter walls visible from public streets shall have a finished appearance compatible with primary structures that includes material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs.
 - b. A combination of solid masonry wall not exceeding 4 feet in height, and wrought iron view fencing or similar material shall be utilized along the eastern property lines where open space is adjacent to the drainage channel/floodway (Indian Bend Wash) east of the site.
8. Clearly defined, accessible pedestrian pathways shall be provided connecting all building entrances and exits, community amenity areas, and all public

sidewalks utilizing the minimum possible distance and providing the most direct route, as approved by the Planning and Development Department.

9. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
10. Pedestrian walkways, including adjacent public sidewalks, shall be shaded to a minimum of 75 percent, as approved by the Planning and Development Department.
11. A minimum of two inverted U-bicycle racks or artistic style racks shall be provided, located near the main building entrance. All bicycle racks shall adhere to Appendix K, "Outdoor/Open Facilities", of the Comprehensive Bicycle Master Plan, and as approved by the Planning and Development Department.
12. The developer shall construct a minimum 45-foot radius cul-de-sac at the terminus of 34th Street, as approved by the Planning and Development Department.
13. 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.
14. A portion of this parcel is located in a Special Flood Hazard Area (SFHA) called Zone AE Floodplain, on panels 1735L of the Flood Insurance Rate Map (FIRM) revised December 22, 2017. If the plans show no building and/or construction encroachment including fill within this portion of the site in the SFHA, then no floodplain requirements will be required. If encroachment does occur, then the following requirements must be met, as approved by the Planning and Development Department:
 - a. The Architect/Engineer is required to show the special flood hazard area boundary limits on plans and ensure that impacts to the proposed facilities and surrounding properties 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 Public Works Department for review and approval of Floodplain requirements prior to issuance of a Grading Permit.
15. 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.

16. **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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