

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION November 7, 2024

ITEM NO: 11	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-85-24-3
Location:	Approximately 170 feet east of the northeast corner of 13th Avenue and Peoria Avenue
From:	R-3
To:	R-3 Hillside DNS/WVR
Acreage:	1.26
Proposal:	Hillside density waiver for single-family residential
Applicant:	Ty Utton, Rose Law Group, PC
Owner:	Empire J Properties, LLC
Representative:	Jon Gillespie, Rose Law Group, PC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

North Mountain 10/16/2024 Approval, per the staff recommendation, with a modification. Vote: 13-0.

Planning Commission Recommendation: Approval, per the North Mountain Village Planning Committee recommendation.

Motion Discussion: N/A

Motion details: Commissioner Jaramillo made a MOTION to approve Z-85-24-3, per the North Mountain Village Planning Committee recommendation.

Maker: Jaramillo
Second: Matthews
Vote: 9-0
Absent: None
Opposition Present: No

Findings:

1. The proposal is consistent with the General Plan Land Use Map designation of Residential 10 to 15 dwelling units per acre and with the surrounding land uses.
2. The proposal, as stipulated, will promote the visual integrity and character of the hillside area.
3. The proposal as stipulated, will incorporate landscaping and shading that will enhance the location, consistent with General Plan goals and principles.

Stipulations:

1. The development shall be limited to a maximum of four units.
2. All landscape setbacks shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant trees, 20 feet on center, or in equivalent groupings, with 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 for installing the required plants.
3. The sidewalk along Peoria Avenue shall be a minimum of 6 feet in width and detached with a minimum 5-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings.
 - b. Drought tolerant vegetation to achieve a minimum of 75% live coverage.

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

4. No structure shall be built above the 15% slope line per the approved Slope Analysis, as approved by the Planning and Development Department.
5. The materials, colors, textures and finishes of all structures (including architectural elements, walls, fences and retaining walls) shall match and blend with the adjacent surrounding undisturbed area, as approved by the Planning and Development Department.
6. All disturbed areas not covered by structures or paving must be revegetated with plant species from the Sonoran Desert Plant List that exists in the adjacent undisturbed area, as approved by the Planning and Development Department.
7. Only landscape materials listed the Approved Plant Species List for Sonoran Preserve Edge Treatment Guidelines (Section 507 TAB II of the Zoning Ordinance) shall be utilized within the landscape areas and improved common areas, as approved or modified by the Planning and Development Department.
8. Natural turf shall not be utilized on individual single-family lots (including the side and rear yards). This restriction shall be included in the Covenants, Conditions, and Restrictions for the subdivision.
9. A minimum of one green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.

10. Participation in the City of Phoenix Homeowner's Association Water Efficiency Program shall be incorporated into to Covenants, Conditions, and Restrictions for the subdivision, prior to final site plan approval.
11. Swimming pools on individual single-family lots shall be limited to 600 square feet in size.
12. A minimum 40 feet of right-of-way shall be dedicated and constructed for the north side of Peoria Avenue.
13. All streets within and adjacent to the development shall be constructed 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. 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.
15. Prior to final 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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