

Attachment C

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

October 21, 2020

ITEM NO: 1

DISTRICT 2

SUBJECT:

Application #: PHO-4-20--Z-125-01-2

Zoning: C-2

Location: Approximately 2,146 feet west of the southwest corner of Black Mountain Parkway (48th Street Alignment) and Carefree Highway

Acreage: 4.50

Request: 1) Review and approval of site plan for the future phase portion by the Desert View Village Planning Committee and Planning Hearing Officer per Stipulation 13 (west).
2) Technical corrections to Stipulations 12 (east) and 11 (west)

Applicant: James Bulsiewicz, Hines

Owner: AABS Properties, LLC

Representative: Nick Wood, Esq., Snell & Wilmer, LLP

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

Village Planning Committee (VPC) Recommendation: The Desert View Village Planning Committee heard this case on October 6, 2020 and recommended approval by a 10-0 vote.

DISCUSSION

Heather Dukes, representative with Snell & Wilmer, provided history about the original rezoning case, site, and surrounding area. She stated that the building on the site of the PHO would be the second phase of a larger senior living community. She stated that the site would be developed as a two-story, approximately 79,438 square foot independent living facility consisting of 52 residential units. She stated that the developers worked with the local HOA board and surrounding community to propose a project with sophisticated ranch and desert architectural style. She added that the developer intends to provide perimeter landscaping and a perimeter wall along Happy Coyote Trail. She stated that they filed the Planning Hearing Officer (PHO) request in conformance

with Stipulation 13 (west), regarding review and approval of the site plan for the future phase portion.

Adam Stranieri stated that staff had not received any correspondence and the case went to the Desert View Village Planning Committee (VPC) on October 6, 2020. Ms. Dukes confirmed and stated that the VPC recommended approval by a vote of 10-0. Mr. Stranieri asked if the future phase portion would be run by the same management company as the portion to the east. James Bulsiewicz, applicant with Hines, stated that one entity will own and manage the entire site. He added that the community will create an environment where residents can age in place and most medical treatment will occur on the east portion of the site. Mr. Stranieri asked if the amenities, specifically equine therapy, and open space would be accessible to residents of both sites. Mr. Bulsiewicz stated that the equine therapy will be located on the east side of the property but will be accessible to all residents. He clarified that the equine therapy would utilize temporary staging because the horses would not be kept overnight per agreements with the local community.

Mr. Stranieri stated that he had no concerns with the proposed site plan. He noted that the site plan showed a system of pedestrian pathways providing connectivity across both sites. He added that the plan depicted continuity along the streetscape with stipulated plans to the east and open spaces which would function well with the requirements for the Carefree Highway Scenic Corridor.

Mr. Stranieri clarified that he was inclined also stipulate general conformance to the elevations. He stated that elevations submitted by the applicant are an improvement over the original design. Ms. Dukes stated that she had no concerns with stipulating general conformance to the elevations.

Mr. Stranieri stated that the site is archaeologically sensitive and additional stipulations were warranted to address City requirements for archaeological data testing and surveying. Ms. Dukes stated that she had no concerns with the additional stipulations and would work with the Archaeology Office during the site planning process.

Mr. Stranieri stated that a multi-use trail was identified along the south side of Carefree Highway, but he was not inclined to add an additional stipulation because Stipulation 11 (west) already discussed trail requirements. He stated that the stipulation did not have the current MAG supplemental details, but the applicant could work with the Parks and Recreation department to determine what the requirements for a trail in that location would be.

FINDINGS

- 1) The subject property of this request is the westernmost portion of the original rezoning case area. The current stipulations applicable to the subject property are those in PHO-3-16—Z-125-01-2. In that case, this property was identified as a future phase and various stipulation modifications were made to accommodate an assisted living facility immediately adjacent to the east. Stipulation 13 (West) was created to allow a review for this future phase area of conceptual plans once a development proposal was created.
- 2) The conceptual site plan depicts a senior independent living facility to be developed as a component/extension of the senior assisted living campus currently proposed to the east. The plan depicts a 2-story and 29-foot tall building containing 50 residential units. There is a large open space courtyard containing amenities on the north side of the building. There are no proposed modifications to existing stipulations regarding enhanced landscaping, pedestrian pathway, parking design, trails, and other concerns along the Carefree Highway Scenic Corridor. The plan is compatible with the stipulated plans for the remainder of the campus to the east. The proposed elevations depict buildings utilizing a variety of building materials (e.g. EIFS, cut stone, standing seam metal, barn siding, etc.) and multiple building colors. Architectural relief is provided through tower elements, pitched roof elements, columns, and patios. The design is compatible with stipulated plans to the east and development in the surrounding area. The applicant's request for general conformance to these plans is recommended for approval with a minor modification to change the order of the stipulations.

DECISION: The Planning Hearing Officer recommended approval with a modification and additional stipulations.

STIPULATIONS

Stipulations for the Eastern Portion of the Site	
1.	That dTHE Development shall be in general conformance to the site plan dated May 5, 2004 as approved by the Planning and Development Department.
2.	That dTHE Development shall be in general conformance to the elevations dated May 5, 2004 or as approved or modified by the Planning and Development Department. That tThe level of architectural detail shall be provided on all sides of structures, including the same colors and

	materials. That t The same architectural theme shall be consistent throughout the site.
3.	That a A comprehensive sign package shall be developed for the site, as approved by the Planning and Development Department.
4.	That a All building elevations visible from the public right-of-way or adjacent residential property SHALL include variations in colors, textures, and/or materials to break up the massing of long walls, and provide a sense of human scale and visual interest.
5.	That a A full archaeological testing and data recovery report be submitted.
6.	That t The development of the project SHALL be limited to three Phases. Phase I the Pharmacy, Phase II retail surrounding pharmacy, and Phase III remaining retail/office at west end of property.
7.	That the d Driveways SHALL be limited to five on Carefree Highway and three on Black Mountain Parkway.
8.	That r Right-of-way shall be dedicated and a bus bay constructed (P1256) with a transit pad (P1261) for southbound on Black Mountain Parkway south of Carefree Highway at a location approved by the Phoenix Public Transit Department.
9.	That t The landscape setback along Carefree Highway shall be dedicated as a landscape easement and the scenic corridor shall include only natural materials and native vegetation as approved by the Planning and Development Department.
10.	That t The wash along the southern border SHALL be treated as a natural amenity per plans approved by the Planning and Development Department and that no construction, filling or grading SHALL occur within the 100 year floodplain.
11.	That s Shaded pedestrian paths shall be provided within the proposed parking areas to connect customers of retail establishments with the sidewalks along Black Mountain Parkway. Landscaping of these shaded walkways shall reflect a common landscaping theme and include a minimum of 2-inch caliper shade trees placed 20 feet on center.
12.	That a A 10-foot sidewalk SHALL be constructed along Carefree Highway and a 5-foot sidewalk SHALL be provided along Black Mountain

	Parkway. Trail needs to be within a 25-foot landscape setback as approved by THE Parks AND Recreation, and Library Department.
13.	That Lighting shall be shielded with cut-off fixtures and deflectors to direct light downward and limit on-site lighting levels to a maximum of one foot candle at the property line. That All lighting shall be shielded to prevent direct visibility of the light source from adjacent properties. That Lighting shall be limited to 15 feet in height. Site lighting shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval.
Stipulations for the Western Portion of the Site	
1.	That THE Development shall be in general conformance to the site plan date stamped March 30, 2017, with regards to setbacks, circulation and the scenic corridor, as modified by the following stipulations and Planning and Development Department review.
2.	That THE Development shall be in general conformance to the elevations date stamped March 30, 2017 with regards to architectural theme. The building elevation theme should assure the building/canopy colors, elevations, exterior materials, landscaping, lighting and signage convey a sense of continuity throughout the development, as approved by the Planning and Development Department.
3.	THE WESTERNMOST PORTION OF THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN DATE STAMPED SEPTEMBER 22, 2020 AND ELEVATIONS DATE STAMPED SEPTEMBER 4, 2020, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
4. 3.	That A comprehensive sign package shall be developed for the site, as approved by the Planning and Development Department.
5. 4.	That All building elevations visible from the public right-of-way or adjacent residential property SHALL include variations in colors, textures, and/or materials to break up the massing of long walls, and provide a sense of human scale and visual interest.
6. 5.	That A full archaeological testing and data recovery report SHALL be submitted.

7. 6.	That The development of the project SHALL be limited to three Phases, Phase I the Assisted Living/Independent Living Building, Phase II the Memory Care Building, and Phase III future.
8. 7.	That The driveways SHALL be limited to five on Carefree Highway.
9. 8.	That The parking provided along the north end of the property SHALL not follow a hard edge along the Carefree Scenic Corridor. The parking shall consist of a delineated pattern using landscape features to create a softer edge.
Landscape/Screening	
10. 9.	That The fifty foot landscape setback from the seventy foot right of way (one hundred twenty feet from center line of Carefree Highway) shall be landscaped with plants from Lists A, B and/or C from the "Area C & D Zoning Guidelines Manual Draft" dated September 1995 and shall be designated as a scenic landscape easement. Accent walls and only low scale directional signage may be allowed within the setback if determined appropriate by the Planning and Development Department site plan and sign review staff.
11. 10.	Areas within the 100 year floodplain will not impede the 100 year storm water flow.
12. 11.	That a 6-foot sidewalk SHALL be constructed along Carefree Highway connecting to the existing development to the east, with the western extent terminating at the new proposed entrance to site. Trail needs to be within a 25-foot landscape setback as approved by THE Parks, AND Recreation and Library Department.
13. 12.	The applicant shall hold a neighborhood meeting to work with adjacent property owners on the proposed lighting, landscaping, and fencing prior to preliminary site plan approval.
13.	The future phase portion of the site shall return to the Desert View Village Planning Committee and Planning Hearing Officer for review and approval.
14.	A minimum 20-foot landscape setback shall be required on all property lines that are adjacent to single family residential zoning districts.
ARCHAEOLOGY	

15.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND 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.
16.	IF DETERMINED NECESSARY BY THE PHOENIX ARCHAEOLOGY OFFICE, THE APPLICANT SHALL CONDUCT PHASE I DATA TESTING AND 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.
17.	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.

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