

ATTACHMENT D

REPORT OF PLANNING COMMISSION ACTION September 1, 2022

ITEM NO: 9	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-42-22-7 (Companion Case GPA-EST-2-22-7)
Location:	Southeast corner of 107th Avenue and Buckeye Road
From:	S-1, RE-43, and C-3
To:	R-3A
Acreage:	13.51
Proposal:	Multifamily residential
Applicant:	Jonathan Schwerd, RK Design & Professional Services, LLC
Owner:	Kelly Mahoney, Hillpointe, LLC
Representative:	Jonathan Schwerd, RK Design & Professional Services, LLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Estrella 8/16/2022 Approval, per the staff recommendation. Vote: 6-1.

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

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-42-22-7, per the Estrella Village Planning Committee recommendation.

Maker: Perez
Second: Gaynor
Vote: 7-0
Absent: Busching and Simon
Opposition Present: No

Findings:

1. The proposed zoning is consistent with the proposed General Plan Amendment designation of Residential 15+ dwelling units per acre.
2. The proposal will develop a vacant property and as stipulated, will be compatible with surrounding land uses.
3. The development, as stipulated, will incorporate design and landscaping features that enhance the location, consistent with the Estrella Village Plan.

Stipulations:

1. The development shall be limited to a maximum of 288 dwelling units.
2. The maximum building height shall not exceed 3 stories and 40 feet.
3. A minimum building setback of 100 feet for structures exceeding 2 stories and 30 feet shall be provided along the southern portion of the site.
4. The development shall be in general conformance with the elevations date stamped July 22, 2022 with specific regard to the following, and as approved by or modified 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 107th Avenue and Buckeye Road shall have individual porches or patios oriented to the street.
5. All required landscape setbacks shall be planted with minimum 25% 2-inch caliper and minimum 75% 3-inch caliper large canopy, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
6. Evergreen trees shall be planted along the southern portion of the site, as approved by the Planning and Development Department.
7. The development shall conform with the Estrella Village Arterial Street Landscaping Program landscape palette and landscaping standards along arterial streets in the Estrella Village, except as otherwise noted herein, as approved by the Planning and Development Department.
8. 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.
9. A landscaped gateway entry feature shall be provided on the southeast corner of 107th Avenue and Buckeye Road, as described below and as approved by the Planning and Development Department:
 - a. An average 75-foot by 75-foot landscape entryway that adheres to the landscape palette for gateway entry features in the Estrella Village Arterial Street Landscaping Program.
 - b. A minimum 300-square foot landscaped accent area shall be provided. The landscaped accent area shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75% live cover.

- c. The gateway entry feature shall utilize accents, colors and materials consistent with the theme of the commercial uses on the same site, as approved by the Planning and Development Department.
- 10. A pedestrian walkway shall be provided from the development to/near the southeast corner of 107th Avenue and Buckeye Road, as approved by the Planning and Development Department.
- 11. Perimeter fencing or walls within 50 feet of a public street shall be a minimum of 50% open view fencing, as approved by the Planning and Development Department.
- 12. A minimum of 10% of the gross site area shall be retained as open space, excluding landscape setbacks, as approved by the Planning and Development Department.
- 13. An open space area of a minimum of 25,175 square feet in size shall be centrally located within the development.
- 14. A minimum of eight amenities shall be provided, which may include but is not limited to barbeques, ramadas, and pools, and the amenities shall be distributed throughout the site, as approved by the Planning and Development Department.
- 15. Where pedestrian walkways 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.
- 16. All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper size large canopy drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
- 17. A minimum of 40 bicycle parking spaces shall be provided through Inverted U and/or artistic racks dispersed throughout the site or in a secured room and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 18. The sidewalk along 107th Avenue shall be a minimum of 5 feet in width and detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved, or modified by the MCDOT and Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted to provide a minimum of 75% shade, at maturity.
 - b. Drought tolerant vegetation to achieve 50 percent 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.

19. The sidewalk along Buckeye Road shall be a minimum of 5 feet in width and detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved, or modified by the MCDOT and Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted to provide a minimum of 75% shade, at maturity.
 - b. Drought tolerant vegetation to achieve 50 percent 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.

20. The developer shall underground existing electrical utilities within the public right-of-way as part of this project. The developer shall coordinate with the affected utilities company for their review and permitting, as approved, or modified by the MCDOT and Planning and Development Department.
21. Existing irrigation facilities along Buckeye Road are to be undergrounded and relocated outside of MCDOT and/or City of Phoenix right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval, as approved or modified by the MCDOT and Planning and Development Department.
22. The developer shall submit a Traffic Impact Analysis for this development to the City of Phoenix and MCDOT. The developer shall be responsible for all cost of mitigation as required by the approved TIS. No preliminary approval of plans may be granted until the study has been approved.
23. 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 MCDOT and/or Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
24. The developer shall dedicate right-of-way and construct a bus bay with an attached pad along eastbound Buckeye Road. The bus bay shall be compliant with City of Phoenix Standard Detail P1256. The attached bus pad shall be compliant with City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet and spaced from the intersection of 107th Avenue according to City of Phoenix Standard Detail P1258, as approved or modified by the MCDOT and Planning and Development Department.
25. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Goodyear Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

26. 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.
27. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
28. 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.
29. 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.

This publication can be made available in alternate format upon request. Please contact Les Scott at 602-261-8980, leslie.scott@phoenix.gov or TTY: Use 7-1-1.