

Attachment D

REPORT OF PLANNING COMMISSION ACTION December 2, 2021

ITEM NO: 9	
	DISTRICT NO.: 3
SUBJECT:	
Application #:	Z-32-21-3
Location:	Southeast corner of 23rd Street and Cave Creek Road
From:	R1-14 and C-2
To:	R-2 DNS/WVR
Acreage:	4.25
Proposal:	Multifamily residential development with a hillside density waiver.
Applicant:	The View Reception Villa, LLC
Owner:	The View Reception Villa, LLC
Representative:	Law Office of David Cisiewski, PLLC

ACTIONS:

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

Paradise Valley 11/1/2021 Approval, per the staff recommendation. Vote: 15-0

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

Motion Discussion: N/A

Motion details: Commissioner Howard made a MOTION to approve Z-32-21-3, per Paradise Valley Village Planning Committee recommendation, with the additional stipulation as read into the record.

Maker: Howard
Second: Gaynor
Vote: 8-0
Absent: Johnson
Opposition Present: No

Findings:

1. The proposed hillside density waiver and stipulations will ensure that the site develops in a manner that respects the adjacent preserve.
2. The proposal will redevelop an underutilized property and provide a high quality multifamily residential development with which will help alleviate the housing shortage in Phoenix.
3. The development will follow Section 710, Hillside Development, and is generally compatible with the intent of the section.

Stipulations:

1. The development shall be limited to a maximum of 22 dwelling units.
2. The required landscape setback along Cave Creek Road and shall be planted with minimum 50 percent 2-inch caliper, 25 percent 3-inch caliper and 25 percent 4-inch caliper large canopy drought-tolerant trees, to provide a minimum of 50 percent shade at maturity along the sidewalk. Additionally, five 5-gallon shrubs shall be provided per tree, as approved by the Planning and Development Department.
3. Drought tolerant vegetation shall be utilized throughout the site, as approved by the Planning and Development Department.
4. Building elevations shall include exterior detailing on all sides of the elevations, such as but not limited to: recesses and/or pop-outs; accent materials, such as stone or masonry; large picture windows, casement windows, and/or clerestory windows; and oversized overhangs, as approved by the Planning and Development Department.
5. Building and wall colors shall be muted and blend with rather than contrast strongly with the surrounding desert environment, as approved by the Planning and Development Department.
6. Any perimeter walls along the west side of the site shall be open view fencing, or a combination of maximum 3 feet of solid wall topped by open view fencing, as approved by the Planning and Development Department.
7. Solid walls shall be prohibited along the perimeters of the site within 25 feet of a property line adjacent to the Phoenix Shadow Mountain Preserve, as approved by the Planning and Development Department.
8. A central amenity open space area shall be provided within close proximity to the primary vehicular entrance into the development, as approved by the Planning and Development Department.
9. The development shall incorporate bicycle infrastructure located within the central amenity open space area as described below and as approved by the Planning and Development Department.
 - a. A minimum of four bicycle parking spaces shall be provided via inverted U-bicycle racks, artistic style bicycle racks, or "Outdoor/Covered Facilities". All bicycle racks shall adhere to Appendix K of the Comprehensive Bicycle Master Plan.
 - b. One bicycle repair station ("fix it station") shall be provided and maintained. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
10. Pedestrian paths within the site and connecting to the public sidewalk shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at maturity, as approved by the Planning and Development Department.

11. The primary vehicular entrance to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. The driveway surface shall be constructed of decorative pavers, stamped, or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
 - b. Traffic calming measures shall be provided to slow vehicles departing the development, prior to crossing the public sidewalk.
 - c. Pedestrian pathways shall be provided to connect the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - d. The pedestrian pathways shall be detached from the vehicular driveway and separated by minimum 5-foot-wide landscape planters. The planters shall include a mix of ornamental trees (no less than 2-inch caliper), shrubs (no less than five 5-gallon shrubs per tree), and other vegetative groundcover providing a minimum of 75 percent live cover.
 - e. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
12. 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
13. The developer shall dedicate a 10-foot-wide sidewalk easement along the east side of Cave Creek Road, as approved by the Planning and Development Department.
14. The use of blasting, both on-site and off-site, for grading and construction shall be subject to the City of Phoenix Implosion/Demolition Policy (TRT 00590) and the Implosion/Demolition Checklist (TRT 00591) with specific regard to those sections related to blasting, as approved by the Planning and Development Department.
15. The use of blasting during on-site or off-site construction shall be subject to the review and approval by the City of Phoenix Water Services Department, and their regulatory agency Arizona Department of Water Resource. The developer shall provide evidence of this review and approval to the Planning and Development Department prior to the issuance of any blasting approvals on the site.
16. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
17. **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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