

## ATTACHMENT E

### REPORT OF PLANNING COMMISSION ACTION January 4, 2024

ITEM NO: 7	
	DISTRICT NO.: 7
SUBJECT:	
Application #:	Z-48-22-7
Location:	Approximately 300 feet north of the northwest corner of 35th Avenue and Minton Street
From:	County RU-43 (Pending S-1) and S-1
To:	R-2
Acreage:	5.40
Proposal:	Multifamily residential
Applicant:	Pew and Lake, PLC
Owner:	Ridgeway Investments, LLC
Representative:	Pew and Lake, PLC

#### **ACTIONS:**

Staff Recommendation: Approval, subject to stipulations.

Village Planning Committee (VPC) Recommendation:

**Laveen** 12/11/2023 Approval, per the staff recommendation with a modification and an additional stipulation. Vote: 7-0.

Planning Commission Recommendation: Approval, per the staff memo dated January 4, 2024 with a modification.

Motion Discussion: N/A

Motion details: Commissioner Perez made a MOTION to approve Z-48-22-7, per the staff memo dated January 4, 2024, with a modification to Stipulation No. 5 to replace "west" with "east".

Maker: Perez  
Second: Hu  
Vote: 7-0  
Absent: Mangum  
Opposition Present: Yes

#### **Findings:**

1. The proposal is consistent with the General Plan Land Use Map designation and will provide a high quality residential development adjacent to an arterial street and stipulated to reflect the established residential character of the area.
2. The proposed development contains enhanced standards that will result in a more walkable, shaded and pedestrian-friendly environment. The development will provide increased shade which will help to reduce the urban heat island effect.
3. The stipulated landscaping, open space, and planting standards are above the required minimum standards and will make the development compatible with the

surrounding land uses.

Stipulations:

1. The development shall be in general conformance with the site plan date stamped October 31, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The development shall be in general conformance with the elevations date stamped July 14, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
3. Traffic calming measures shall be provided at all site entries and exits to slow down vehicular speeds as they approach sidewalks, as approved by the Planning and Development Department.
4. The required landscape setbacks AND THROUGHOUT THE SITE shall be landscaped with 25% 3-INCH CALIPER TREES AND 75% 2-inch caliper single-trunk large canopy drought-tolerant shade trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. THE ~~WEST EAST~~ 350 FEET OF THE SOUTH PERIMETER ~~SOUTHEASTERN HALF OF THE~~ LANDSCAPE SETBACK SHALL BE PLANTED WITH ~~400%~~ MINIMUM 3-INCH CALIPER, SINGLE TRUNK, LARGE CANOPY, DROUGHT-TOLERANT, SHADE TREES, PLANTED 20 FEET ON CENTER OR IN EQUIVALENT GROUPINGS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
- ~~5.~~ 6. The primary vehicular entrance to the development shall include the following elements, as approved by the Planning and Development Department:
  - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
  - b. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet each. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest.
  - c. A minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, and minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
  - d. The entry 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.
- ~~6.~~ 7. If fencing is proposed, open view fencing or a combination of maximum two feet of solid masonry topped by open view fencing shall be utilized along the north and east perimeter, as approved by the Planning and Development Department.

- ~~7.~~ A perimeter wall no less than 6 feet in height shall be provided along the southern and
- ~~8.~~ western portion of the site, as approved by the Planning and Development Department.
  
- ~~8.~~ A minimum of 15% of the gross site area shall be retained as open space.
- ~~9.~~
  
- ~~9.~~ All uncovered surface parking lot area shall be landscaped with minimum 2-inch
- ~~10.~~ 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.
  
- ~~10.~~ Where pedestrian walkways cross a vehicular path, the pathway shall be constructed
- ~~11.~~ 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.
  
- ~~11.~~ All pedestrian walkways, including sidewalks, shall be shaded by a structure,
- ~~12.~~ landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
  
- ~~12.~~ A minimum of three pedestrian connections shall be provided from the development to
- ~~13.~~ the sidewalk along Carter Road, as approved by the Planning and Development Department.
  
- ~~13.~~ The development shall incorporate bicycle infrastructure as described below and
- ~~14.~~ approved by the Planning and Development Department.
  - a. Bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the community center and/or clubhouse and open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
  - b. Guest bicycle parking shall be provided at a minimum rate of 0.05 spaces per unit, up to a maximum of 50 spaces, located near building entrances and within amenity areas.
  - c. All bicycle infrastructure shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
  - d. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. 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, but not be limited to 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.
  - e. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.

- ~~14.~~ A minimum of 10% of the required parking spaces shall be EV Ready.  
~~15.~~
- ~~15.~~ The developer shall dedicate 25-feet of right-of-way and construct the south side of  
~~16.~~ Carter Road, as approved by the Planning and Development Department.
- ~~16.~~ A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide  
~~17.~~ landscape strip shall be constructed along the south side of Carter Road, adjacent to the development, planted to the following standards and maintained with a watering system, 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 shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet to achieve a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

- ~~17.~~ The developer shall close the existing median opening adjacent to the site and  
~~18.~~ construct a new median opening at 35th Avenue and Carter Road, as approved by the Planning and Development and Street Transportation Departments.
- ~~18.~~ The developer shall construct all streets within and adjacent to the development with  
~~19.~~ 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.
- ~~19.~~ The property owner shall record documents that disclose the existence, and  
~~20.~~ operational characteristics of Phoenix Sky Harbor International Airport (PHX) 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.
- ~~20.~~ Prior to final site plan approval, the property owner shall record documents that  
~~21.~~ disclose to purchasers of property within the development(s) the existence and operational characteristics of nearby existing ranchettes and animal privilege private properties that may cause adverse noise, odors, dust, and other externalities. 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. The disclosures shall be noted in the CC&Rs in a section titled "nuisances".
- ~~21.~~ If determined necessary by the Phoenix Archaeology Office, the applicant shall  
~~22.~~ 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.
- ~~22.~~ If Phase I data testing is required, and if, upon review of the results from the Phase I  
~~23.~~ 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.

- ~~23.~~ In the event archaeological materials are encountered during construction, the
24. 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.
  
- ~~24.~~ Prior to preliminary site plan approval, the landowner shall execute a Proposition 207
25. 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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