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Planning Hearing Officer Summary of December 18, 2019
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REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

December 18, 2019

ITEM 7

DISTRICT 8

SUBJECT:

Application #: Z-89-06-8 (PHO-3-19)
Zoning: PSC BAOD (App. R-2 BAOD)
Location: Northwest corner of 16th Street and Alta Vista Road
Acreage: 9.07
Request: 1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped March 28, 2007.
2) Modification of Stipulation 4 regarding trees in landscaped setbacks.
3) Deletion of Stipulation 5 requiring view walls along public rights-of-way.
4) Modification of Stipulation 6 regarding common open space amenities.
5) Deletion of Stipulation 7 regarding a multi-use trail on the west side of 16th Street.
6) Technical corrections to Stipulations 2, 3, and 10.
Applicant: Nathan Pile, Curve Development
Owner: Cheng 90/10 LLC
Representative: Nathan Pile, Curve Development

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended denial as filed and approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The South Mountain Village Planning Committee heard this case on December 10, 2019 and recommended approval with modifications and additional stipulations by an 8-4-0 vote.

DISCUSSION

Chris Colyer, representative with Snell & Wilmer, stated that the site is currently a vacant lot that will be developed with a 72-unit single-family detached housing development. He added the development is intended to be workforce housing at a low price point.

Mr. Colyer stated that he is requesting to modify stipulations to update the site and landscape plan. Adam Stranieri stated that the modification to Stipulation 1, regarding general conformance to the site plan date stamped March 28, 2007, will reference the new site plan. He added that the modification to Stipulation 4, regarding trees and landscaped setbacks, would include a reference to the Landscape Improvements Plan. He also recommended a modification to clarify that the updated landscape plan would conform, at a minimum, to C-2 standards.

Mr. Colyer stated that he is requesting to delete Stipulation 5, regarding view walls along public rights-of-way, because view fencing would not allow adequate security or noise mitigation. He added that other housing developments in the area were not required to have view fencing and theme walls would be more appropriate for the development. Mr. Stranieri stated that the South Mountain VPC recommended that a theme wall be permitted along 16th Street and 14th Way but retained the requirement for a view wall along Alta Vista Road. He added that the Baseline Area Master Plan promoted the use of view walls and provided design details and that the Baseline Area Overlay District required them as a design presumption. However, he agreed that theme walls would be appropriate along 14th Way which essentially functions as an alley and because 16th Street is an arterial with high traffic volume. He stated that the view fencing would be appropriate along Alta Vista Road because it is a local street with housing across the street. He added that the Pedestrian Safety Coordinator also recommended view fencing to provide eyes on the street for pedestrians and enhance safety. Mr. Stranieri asked about the materials of the theme wall. Mr. Colyer stated that they would provide landscaping along the walls. Mr. Stranieri stated that he was inclined to request material or architectural differences along the wall to prevent the developer from providing a basic CMU wall.

Mr. Colyer stated that he is requesting modifications to Stipulation 6, regarding common open space amenities, to reflect the new amenities being provided.

Mr. Colyer stated that he is requesting deletion of Stipulation 7, regarding a multi-use trail and trail easement on the west side of 16th Street, because the trail would create significant constraints on the project. He added that there is no multi-use trail for any of the properties from Baseline Avenue to Southern Avenue, so even if the trail was implemented there would be no opportunity for connections. Mr. Stranieri noted that there was an existing multi-use trail easement approximately 780 feet to the south at the northwest and southwest corners of 16th Street and Apollo Road. He stated that the Parks and Recreation Department requested to retain Stipulation 7 and he was not inclined to disagree with the department recommendation. He stated that he could add language to provide flexibility for the applicant to continue the discussion with the Parks and Recreation Department during the Plan Review process.

Mr. Colyer stated that the South Mountain Village Planning Committee approved the request with modifications and additional stipulations by a vote of 8-4. Mr. Stranieri asked about the discussion at the South Mountain VCP regarding the addition of a walking path that cuts diagonally through the site. Mr. Colyer stated that putting a pathway through the property would prevent significant developmental challenges for the site. He stated that a sidewalk along 14th Way would be more appropriate. Mr.

Stranieri stated that he was not inclined to add the two additional stipulations recommended by the South Mountain VPC regarding the 10-foot sidewalk easement and 5-foot sidewalk along 14th because they are consistent with current City standards and would be implemented during plan review.

Mr. Stranieri stated that the Street Transportation Department recommended that the developer extend the new curb, gutter and sidewalk five feet past the existing block wall to the north on 14th Way in order to eliminate a wildcat vehicular access point and improve safety in this location.

FINDINGS

- 1) The conceptual site plan depicts a 72-unit, single-family detached motor-court style subdivision containing both one and two-story units. The proposed density is approximately 8.07 dwelling units per gross acre. The design is consistent in scale and character with existing development in the surrounding area. The proposed density also establishes a transition between existing single-family residential development to the west and south, and 16th Street and commercial land uses to the north and east.
- 2) Original Stipulation 5 required view walls along all public rights-of-way constructed in accordance with design details in the Baseline Area Master Plan. The applicant contends that a solid wall will provide noise mitigation for residents and enhance security. As an alternative, they propose a perimeter theme wall with enhanced architectural features to improve the overall aesthetic.

The South Mountain Village Planning Committee recommended modifying the applicant's request to permit the theme wall along 14th Way and 16th Street only. Use of the theme wall is appropriate along 16th Street, an arterial street, and 14th Way, which functions similarly to an alley rather than a local street. However, the property's frontage on Alta Vista Road, a local street, faces a planned single-family subdivision. Additionally, Alta Vista Road serves multi-modal users with access to nearby community amenities, transit infrastructure, and commercial uses. An additional stipulation is recommended to retain the requirement for a partial view fence along Alta Vista Road. This recommendation is consistent with a design presumption in the Baseline Area Overlay District (Zoning Ordinance Section 651.E.3.a.(1)) and the recommendation of the South Mountain Village Planning Committee. Additionally, this stipulation is recommended by the Pedestrian Safety Coordinator with the Street Transportation Department who contends that a partial view wall will enhance safety for pedestrians along Alta Vista Street by providing 'eyes on the street'.

- 3) The South Mountain Village Planning Committee's recommendations for additional stipulations regarding a 10-foot sidewalk easement and minimum 5-foot wide sidewalk along 14th Way are consistent with existing City standards. These requirements were communicated to the applicant through

the site plan pre-application process. These requirements do not require additional stipulations as they do not exceed current Zoning Ordinance requirements.

- 4) The Parks and Recreation Department does not support the applicant's request for deletion of original Stipulation 7 regarding a multi-use trail and related easement along 16th Street. This location along 16th Street is identified for a proposed privately maintained multi-use trail on the Parks and Recreation Department's Facilities Map. Provision of the trail will allow connections to future trail segments along 16th Street as properties are developed, redeveloped, and/or rezoned. This concern was echoed by the Pedestrian Safety Coordinator with the Street Transportation Department.
- 5) The Street Transportation Department recommended an additional stipulation requiring the developer to extend the new curb, gutter, and sidewalk five feet past the existing block wall to the north on 14th Way. This location, at the northwest corner of the site, has known issues with inappropriate vehicular access to the rear of the adjacent commercial site to the north. The stipulation will allow an extension of the street improvements far enough to eliminate this safety issue.

DECISION: The Planning Hearing Officer recommended denial as filed and approval with modifications and additional stipulations.

STIPULATIONS

SITE PLAN AND ELEVATIONS	
1.	That The development shall be in general conformance with the site plan date stamped NOVEMBER 1, 2019 March 28, 2007 , as modified by the following stipulations and approved by the PLANNING AND Development Services Department.
2.	That The elevations shall incorporate enhanced four-sided architectural detailing, such as exterior accent materials (e.g. brick, stone veneer), exterior detailing (e.g. stucco recesses, pop outs or other window treatments), and decorative garage doors with windows that convey a sense of continuity throughout the development, as approved by the PLANNING AND Development Services Department.
3.	That The elevations shall be submitted to the Planning Hearing Officer for administrative review and approval prior to/concurrent with preliminary site plan approval from the PLANNING AND Development Services Department.
LANDSCAPED SETBACKS	
4.	That All trees utilized in the required landscaped setbacks, as well as

	landscaped areas shown on the LANDSCAPE IMPROVEMENTS site Plan date stamped NOVEMBER 1, 2019 July 21, 2006 , shall conform AT A MINIMUM to the C-2 landscaping standards, Zoning Ordinance Section 623.E.4.e, as approved by the PLANNING AND Development Services Department.
PERIMETER WALLS	
5.	SOLID PORTIONS OF PERIMETER WALLS ALONG THE SOUTH PROPERTY LINE SHALL NOT EXCEED A MAXIMUM HEIGHT OF 4-FEET, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
6.	PERIMETER WALLS ALONG THE EAST AND WEST PROPERTY LINES SHALL INCLUDE MATERIAL OR TEXTURAL DIFFERENCES, SUCH AS STUCCO AND/OR SPLIT FACE BLOCK WITH A DECORATIVE ELEMENT, SUCH AS TILE, GLASS INSETS, OR STAMPED DESIGNS, OR OTHER SIMILAR FEATURES, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
5.	That any perimeter wall exceeding three feet in height located along public right-of-way shall be a view wall. That the view wall may be comprised of the following combination of wrought iron and decorative block wall, as demonstrated in the perimeter walls figure on page 26 of the Baseline Area Master Plan and as approved by the Development Services Department.
	• Minimum four feet wrought iron — 60 percent minimum of entire wall length.
	• Minimum two feet wrought iron — 20 percent minimum of entire wall length.
	• Decorative block wall — 20 percent maximum of entire wall length.
OPEN SPACE	
7. 6.	That t The common open space area, as illustrated on the LANDSCAPE IMPROVEMENTS PLAN site plan date stamped NOVEMBER 1, 2019 March 28, 2007 , shall have a combined minimum of five amenities, which may include, but are not limited to the following, as approved by the PLANNING AND Development Services Department: GAME LAWN, RAMADA, BARBECUE AREA, FIREPLACE, AND DOG COMFORT STATION tot lot, large shaded seating area, barbeque area, tennis court, basketball court, clubhouse, water feature, community garden, or swimming pool.
MULTI-USE TRAIL	
8. 7.	That a A 10-foot wide multi-use trail shall be constructed within a 30-foot multi-use trail easement on the west side of 16th Street, as approved OR MODIFIED by the Parks and Recreation Department. That a Any proposed reductions in THE

	MULTI-USE TRAIL OR MULTI-USE trail easement width shall be AS approved OR MODIFIED by the Parks and Recreation Department.
	ARCHAEOLOGICAL MATERIALS
9. 8.	That if 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 of Phoenix Archaeology Office and allow time for the Archaeology Office to properly assess the materials.
	AVIATION
10. 9.	That The property owner shall record documents that disclose the existence and operational characteristics of Sky Harbor International 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.
	STREETS AND RIGHT-OF-WAY
11.	THE DEVELOPER SHALL EXTEND THE NEW CURB, GUTTER, AND SIDEWALK 5 FEET PAST THE EXISTING BLOCK WALL TO THE NORTH ON 14TH WAY, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
12. 10.	That The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the PLANNING AND Development Services Department. All improvements shall comply with all Americans with Disabilities (ADA) accessibility standards.
13.	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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