



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

To: City of Phoenix Planning Commission **Date:** December 3, 2020

From: Enrique Bojórquez-Gaxiola
Planner II – Village Planner

Subject: ITEM NO. 10 (Z-3-20-7) – NORTHWEST CORNER OF 15TH AVENUE AND VINEYARD ROAD

This memo is to address the South Mountain Village Planning Committee recommendation, a request by the applicant regarding the location of open space areas within the proposed residential subdivision, to correct a typo in a stipulation pertaining to an avigation easement and an additional stipulation for an executed Proposition 207 waiver.

The South Mountain Village Planning Committee recommended approval of case Z-3-20-7 on November 10, 2020 per the staff recommendation in the staff report with a modification and an additional stipulation by a vote of 10 to 1. The recommendation included the addition of Stipulation No. 19 pertaining to an avigation easement and recommending a modification to the stipulations to require the relocation of the open space area proposed north of Lot 1, to the location where Lot 11 is presently shown on the conceptual site plan presented in the staff report, which resulted in a modification to Stipulation No. 3.

After the November 10, 2020 meeting, staff learned that drainage on the site flows generally on a northward direction, thus relocating the open space area north of Lot 1 to the location where Lot 11 is shown in the conceptual site plan would require an engineering solution consistent with the City of Phoenix Drainage Ordinance to redirect the drainage on the site or seek relief from Phoenix City Code via a Technical Appeal. Staff recommends the following modification to Stipulation No. 3 to allow for flexibility in locating the open space area in an alternate location north of the site where adjacent to residential lots to promote safety. These changes are reflected in the revised Stipulation No. 3 below.

Stipulation No. 19 corrects a typo and addresses the avigation easement stipulation recommended by the South Mountain Village Planning Committee on November 10, 2020.

Stipulation No. 20 adds a requirement for an executed Proposition 207 waiver of claims form since the applicant has not yet submitted one.

Staff recommends approval, subject to the revised stipulations below:

1. A minimum of 50 percent of the standard elevations provided shall depict front-loaded garages or carports setback a minimum of 5-feet from the front face of the home, as approved by the Planning and Development Department.
2. A minimum of 75 percent of the standard elevations provided shall include porches in the front yard at a minimum of 60 square feet in area and at a depth of at least 6 feet and enclosed on each side with fencing, as approved by the Planning and Development Department.
3. –A TWO centrally located open space areaS shall be developed ALONG ST. ANNE AVENUE and include the following amenities and elements at a minimum, distributed between the open space area(s), as approved by the Planning and Development Department. **WHERE UTILITY OR DRAINAGE ISSUES ARISE, ONE OF THE OPEN SPACE AREAS CONTAINING RESIDENTIAL AMENITIES AND ELEMENTS MAY BE LOCATED WITHIN THE NORTH 400 FEET OF THE SITE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
 - a. One picnic area that includes one barbecue grill, one shade ramada and one picnic table.
 - b. One community garden of no less than a combined 1,000 square feet in area that will each include a garden tool library, irrigation, one seating bench and shade structures to enable year-round planting.
 - c. One pedestrian seating node containing at least one bench and located within close proximity to the trail along 15th Avenue.
 - d. Split rail fencing located along the perimeter of active open space areas near the street sides.
 - e. Open space areas shall provide a minimum 50 percent shade and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants). Trees shall also be placed to provide the maximum possible shade in gathering and seating amenity areas.
 - f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
4. A system of clearly defined, accessible pedestrian thoroughfares shall be provided, as described below and as approved by the Planning and Development Department:
 - a. Five-foot wide paths shall be provided, connecting the following via the most direct route:
 - 1) Amenity and gathering areas; and

- 2) Adjacent public sidewalks
 - b. Large canopy drought tolerant shade trees a minimum 2-inch caliper size, planted 20 feet on center or in equivalent groupings, shall be used to shade pedestrian paths, including trails and public sidewalks adjacent to open space areas, a minimum of 75 percent at full maturity. The shading requirement shall not apply to the sidewalk along 15th Avenue.
 - c. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
5. The perimeter landscape areas shall be planted with drought tolerant plant materials including large canopy shade trees a minimum of 2-inch caliper size, planted 20 feet on center, or in equivalent groupings, and five 5-gallon flowering shrubs per tree, providing seasonal interest and achieving a maximum 75 percent live cover. Twenty five percent of the required live cover may be ground cover plants, as approved by the Planning and Development Department. Trees located in perimeter landscape setbacks shall be oriented to provide the maximum shade possible to adjacent sidewalks, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
6. All perimeter walls shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
7. The developer shall dedicate a 20-foot wide multi-use trail easement (MUTE) along 15th Avenue and construct a minimum 10-foot wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.
8. The development shall provide 3 different front yard plant palettes consisting of one large canopy accent tree, five shrubs and turf or ground cover, or offer evidence of a landscaping incentive package, as approved by the Planning and Development Department. Required front yard trees shall be a minimum of 2-inch caliper size and located to provide the maximum shade possible to the multi-use trail along 15th Avenue, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
9. The developer shall dedicate 30 feet of right-of-way for the west half of 15th Avenue, as approved by the Planning and Development Department.

10. The developer shall dedicate 30 feet of right-of-way for the north half of Vineyard Road, as approved by the Planning and Development.
11. The developer shall extend the adjacent right-of-way and street improvements for St. Anne Avenue at the west parcel limit to an intersection with 15th Avenue. The improvement requirements are a local street section, matching improvements to the west, within 50 feet of right-of-way, or as approved by the Planning and Development Department.
12. The developer shall provide 20 feet of paving, from the monument line to face-of-curb, on Vineyard Road and connect to the existing street improvements to the west, as approve by the Planning and Development Department. Development will be responsible for the full width pavement taper for the limits established during the signing and striping review connecting to the existing pavement to the east.
13. The developer shall provide a total of 24 feet of paving, 20 feet from the monument line to the face-of-vertical curb and 4 feet east of the monument line, on 15th Avenue connecting the existing street improvements to the north, as approved by the Planning and Development Department.
14. Existing irrigation facilities along 15th Avenue are to be undergrounded and relocated outside of City 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.
15. 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.
16. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners of the property. The form and contents of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
17. The developer shall provide documentation to the City prior to construction permit approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the permanent structure a separate Form 7460-1 shall be submitted to the FAA and a "No Hazard Determination" obtained prior to the construction start date.

18. 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.
19. THE DEVELOPER SHALL GRANT AND RECORD AN AVIGATION EASEMENT TO THE CITY OF PHOENIX FOR THE SITE, PER THE CONTENT AND FORM PRESCRIBED BY THE CITY ATTORNEY PRIOR TO FINAL SITE PLAN APPROVAL.
20. **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.**

Exhibit A:

Revised Site Plan with Planning and Development Department annotations (Date Stamped November 19, 2020)

