



## City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

### ADDENDUM A

#### **Staff Report: Z-54-15-1**

March 24, 2016

<b>Deer Village Planning Committee Meeting Date:</b>	March 17, 2016
<b>Planning Commission Date:</b>	April 7, 2016
<b>Request From:</b>	S-1 DVAO (17.39 acres)
<b>Request To:</b>	R-2 DVAO (17.39 acres)
<b>Proposed Use:</b>	Multifamily Residential
<b>Location:</b>	Northwest corner of 23rd Avenue and Pinnacle Peak Road
<b>Owner:</b>	Anwalt, LLC and PGR Investments
<b>Applicant/Representative:</b>	Brennan Ray, Burch & Cracchiolo, P.A.
<b>Staff Recommendation:</b>	Denial. In the event of an approval action, mitigating stipulations are recommended.

The applicant and staff have agreed upon the deletion of recommended Stipulation No. 1, regarding the landscape setback along the north property line. The stipulation is redundant because it stipulates landscape requirements that are already required by the Zoning Ordinance. The stipulation also has the potential to inhibit the right to request a variance. The Zoning Ordinance requires a minimum five (5)-foot landscape setback with a 15-gallon tree for each twenty feet of linear distance and a five (5)-gallon shrub for each five (5) feet of linear distance.

The intent of the stipulation was to ensure that a sufficient buffer would be provided. If the requested zoning is approved, then a sufficient buffer would also be required on the property to the north. The property to the north has approved Commerce Park/General Commerce Park zoning which requires a building setback between 20 to 216 feet, depending on the height of the building/s; and a minimum five (5)-foot landscape setback with 15-gallon evergreen trees planted to average 20 feet on center.

Although staff agrees to the deletion of the stipulation, staff is still recommending denial of the request. In the event of an approval action, the following mitigating stipulations are recommended:

- ~~1. A minimum 5-foot landscape setback shall be required along the north property line per the Zoning Ordinance standards for multifamily development, to be maintained by the property owner or management group, as approved by the Planning and Development Department.~~

21. An enclosed dog park shall be provided in general conformance to the conceptual site plan date stamped February 19, 2016, as approved by the Planning and Development Department.
32. The developer shall update all existing off-site street improvements (Sidewalks, curb ramps and driveways) to current ADA guidelines, as approved by the Planning and Development Department.
43. The developer shall dedicate right-of-way totaling 70 feet for 23rd Avenue (cross section "CM" offset 15 feet to the west), as approved by the Planning and Development Department.
54. The developer shall coordinate all improvements on Pinnacle Peak Road west of the existing improvements with the Arizona Department of Transportation.
65. The driveway on Pinnacle Peak Road shall be restricted to right-in right-out only, left in may be allowed if approved by the Arizona Department of Transportation.
76. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley 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.