



Village Planning Committee Meeting Summary

Z-18-19-4

Date of VPC Meeting	September 9, 2019
Request From	C-3 TOD-1 (10.39 acres)
Request To	WU Code T5:5 UT (10.39 acres)
Proposed Use	Multifamily residential
Location	Northwest corner of Central Avenue and Indian School Road
VPC Recommendation	Approval, per staff stipulations with additional stipulations.
VPC Vote	8-4

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

1 card was submitted in favor, wishing to speak.

1 card was submitted in opposition, wishing to speak.

Ms. Brkovic provided an overview of the rezoning request noting the surrounding uses, surrounding zoning, general plan land use designation, description of the proposed site plan and elevations, staff's findings, stipulations and recommendation.

Mr. Stephen Earl, Earl and Curley, representing the applicant, Toll Brothers, provided an overview of the request. He indicated that at the previous meeting the committee noted concern with the architecture, lack of height and intensity, pedestrian experience, lack of solar panels, lack of recycling services and lack of parking garage. He noted that the project would include 400 energy efficient units and an oasis along Indian School Road which included lush landscaping. He provided an overview of the Uptown TOD Policy Plan and indicated that the site was identified for lower intensity. He stated that the other corners were different as they were not near single-family residential zoning. He explained that his client did not propose a garage on the site because garages created long trips for residents. He notes that the new elevations paid homage to the "punch card" Financial Center and that an observation deck was added at the corner. He also noted that inverted arches and "live-work" units were added along Central Avenue and that a 1,600 square foot area would be dedicated to a commercial space on the ground floor at the intersection of Central Avenue and Indian School Road. Mr. Earl proposed the following additional stipulations:

1. *That the project be developed in general conformance to the site plan and elevations presented to the Encanto Village Planning Committee on September 9, 2019 as may be further refined in the process with Staff.*
2. *Ten (10) Live-Work units shall be provided on the Central Avenue and light rail frontage. Live-Work units are two level units designed for the opportunity for small commercial entrepreneurs and/or professionals to live and work in their unit.*
3. *There shall be unique architectural treatments on the building as shown in the renderings presented to the Encanto Village Planning Committee on September 9, 2019 at the corner of Central and Indian School Road along with corresponding features on the ten (10) Live-Work units along Central Avenue frontage. These treatments are as conceptually shown on the color rendered elevations and a modern style reminiscent of the “computer punch card” design and the arches of the Phoenix Financial Center building. This unique feature shall be carried onto the Indian School Road frontage in a couple of locations to pull the architectural theme across the project.*
4. *A “Bodega”, with a minimum 1600 sq. ft., shall be included in the Central Avenue frontage where coffee, juices, soft drinks and select foods/sundries may be sold. This Bodega/Coffee Shop and the ten (10) two story live/work units along with the vibrant corner entrance will occupy the entire Central Avenue frontage of the building.*
5. *The Project’s 3rd Avenue access shall be physically configured to allow right turns in and left turns out, so as to discourage use of 3rd Avenue to the north into the neighborhood.*
6. *The open spaces provided (i.e. oasis) along Indian School Road shall include amenities for pedestrians, such as, but not limited to, lush landscaping, seating, tables, water feature or drinking fountain for persons and pets, small secured bicycle parking and/or repair kitchen that may include a kiosk for repair supplies. Other ideas may include participate in small book lending amenities.*

Ms. George asked what was behind the homage windows. **Mr. Earl** noted that it would be metal cladding that would be part of the unit.

Ms. Cothron asked if recycling services would be provided on site and if solar would be incorporated. **Mr. Earl** noted that the complex was proposing recycling services on site and noted that his clients had been studying solar for months; but, don’t have the ability to commit at the moment because they don’t have electrical plans. He noted that his client was confident that they would have the ability to incorporate solar panels into the project.

Mr. Drew Bryck noted that because the rezoning was not for a PUD the uses could not be restricted. **Ms. Brkovic** noted that was correct. She indicated that most of the stipulations proposed by the applicant were not enforceable. She indicated that they could be re-worded to increase the enforceability of the stipulations through restriction of space for individual units and conformance to specific frontage types.

Ms. George expressed the significance of Stipulation No. 5 which restricted right turns into the neighborhood. **Ms. Brkovic** noted that the right-out only stipulation would not be an issue but would need to be reworded.

Ms. George asked what type of security would be provided for units fronting onto the street. **Mr. Earl** noted that many complexes had been build this way and that the units provide “eyes on the street” which improves safety and security.

Mr. Adams asked why the kitchen was proposed on the first floor of the live-work units. **Mr. Todd Bowden**, Toll Brother, noted that the proposed design promoted live-work could also be used as a residential unit.

Ms. Margaret Deitrich, resident in the area, in support, noted that she was supportive of the project as it captured historic elements of the area. She indicated that more and more people have made the decision to live by light rail and indicated that she did not believe that the project would add traffic.

Tamiko, resident in the area, in opposition, noted that she had major concerns regarding traffic in the area, especially because the northeast corner of Central and Indian School was proposed for new development. She indicated that the developer has not reached out to her and asked how much outreach was conducted.

Mr. Earl noted that individuals went out into the neighborhood on three different occasions. He noted that he understood the traffic concern and stated that he has asked that the committee adopt the additional stipulation regarding the restriction of the right-hand-turn. He explained that much of the traffic would be absorbed by the light rail and that a mid-rise development would create more traffic in the area.

Mr. Benjamin noted that he was disappointed with the original plans and he continued to be disappointed with the current proposal of low-rise multifamily with surface parking.

Mr. Matthews indicated that he would be in support of the project with the additional stipulations with guidance from staff.

Motion:

Drew Bryck made a motion to approve Z-18-19-4 as recommended by staff and additional stipulations that capture the spirit and intent of the six additional stipulations presented by the applicant as modified by staff.

G.G. George seconded the motion.

Discussion:

Chairman Jake Adams noted that he expected that the project would include solar component.

Vote:

The motion passed, Vote: 8-4

Roll Call:

Yes – Jake Adams, Drew Bryck, Katie Coates, G.G. George, Matthew Jewett, Rick Mahrle, Jayson Matthews and Steve Procaccini.

No – Ann Cothron, Paul Benjamin, Nicole Rodriguez and Aaron Searles.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff suggests modifying the language to the added stipulations to capture the intent and provide clarity and enforceability of the stipulations. Staff is not supportive of the general conformance stipulation to the site plan and elevations as compliance to the WU-Code T5:5 Transect has not been confirmed and the development will require development review of the site plan and elevations in the future.

Revised Stipulations:

1. There shall be enhanced pavement, in the form of brick or stamped or colored concrete, for pedestrian entrances into the building at the intersection of Central Avenue and Indian School Road and at the northern end of the site along Central Avenue, as approved by the Planning and Development Department.
2. **THE DEVELOPMENT SHALL UTILIZE THE MID-CENTURY MODERN METAL DECORATIVE ELEMENT AS DEPICTED ON THE ELEVATIONS DATE STAMPED SEPTEMBER 13, 2019 TO ACCENTUATE THE CORNER OF CENTRAL AVENUE AND INDIAN SCHOOL ROAD, AS WELL AS CORRESPONDING SMALLER FEATURES ALONG CENTRAL AVENUE, AND INDIAN SCHOOL ROAD, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
3. **THE DEVELOPMENT SHALL UTILIZE A CONTINUOUS STOREFRONT FRONTAGE PER THE REQUIREMENTS OF SECTION 135.B. FOR A MINIMUM OF 265 LINEAR FEET BEGINNING AT THE NORTHERN PROPERTY LINE ALONG CENTRAL AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
4. **A MINIMUM OF 55 LINEAR FEET AND A TOTAL SQUARE FOOTAGE OF 1,600 SQUARE FEET ALONG CENTRAL AVENUE SHALL NOT BE RESERVED FOR INDIVIDUAL UNITS, RESIDENTIAL LOBBY, LEASING OFFICE OR OTHER TENANT ONLY AMENITIES RELATED TO THE PRIMARY MULTIFAMILY USE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
- ~~2.~~ 5. The required public open space areas shall include seating areas, **A DRINKING FOUNTAIN FOR PERSONS AND PETS, SECURED BICYCLE**

PARKING, and art and shade elements, as approved by the Planning and Development Department.

- ~~3.~~ 6. The parking lot area shall have shaded pedestrian pathways consisting of decorative materials such as brick, stamped or colored concrete or similar material that connects residents into the buildings, as approved by the Planning and Development Department.
- ~~4.~~ 7. A minimum 25% of the parking lot area shall be shaded, as approved by the Planning and Development Department.
- ~~5.~~ 8. Parking garages or individual unit garages shall not front onto or have direct access to and from 3rd Avenue.
- ~~6.~~ 9. The sidewalk along Indian School Road shall be detached with a minimum 50 percent 8-foot wide and minimum 50 percent 6-foot-wide landscape strip located between the sidewalk and back of curb. The streetscape landscaping shall be in compliance with the WU-Code standards for planting, type, size and quantity per section 1309 of the Phoenix Zoning Ordinance and palm trees shall be planted between shade trees, as approved by the Planning and Development Department.
- ~~7.~~ 10. The sidewalk along 3rd Avenue shall be detached with a minimum 5-foot wide landscape strip located between the sidewalk and back of curb. The streetscape landscaping shall be in compliance with the WU-Code standards for planting, type, size and quantity per section 1309 of the Phoenix Zoning Ordinance and palm trees shall be planted between shade trees, as approved by the Planning and Development Department.
- ~~8.~~ 11. The developer shall provide secured bicycle parking for the required bicycle parking spaces up to a maximum of 50 spaces. In addition, a minimum of four inverted U-bicycle racks for guests located near entrances to the building and a minimum of two inverted U-bicycle racks at each forecourt area shall be installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
12. **THE DRIVEWAY ON 3RD AVENUE SHALL BE LIMITED TO RIGHT-IN AND LEFT-OUT ONLY, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.**
- ~~9.~~ 13. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development Department and the Street Transportation Department.
- ~~10.~~ 14. A 10-foot sidewalk easement shall be dedicated on the north side of Indian School Road and on the west side of Central Avenue, as approved by the Planning and Development Department.

- 41-15. The developer shall construct a 6-foot wide detached sidewalk along the north side of Indian School Road. The required setback shall be determined by the Planning and Development Department.
- 42-16. Vehicular access to the site from 3rd Avenue shall be limited to a maximum of one shared access driveway. No vehicular driveways to individual units or garages shall be allowed for the entire site frontage.
- 43-17. The Central Avenue frontage shall comply with the Central Avenue Development Standards.
- 44-18. 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.
- 45-19. Dedication of right-of-way and reconstruction of a bus bay and bus stop pad along westbound Indian School Road west of Central Avenue shall be provided. The bus bay shall be spaced from the intersection of Central Avenue and Indian School Road according to the City of Phoenix Standard Detail P1258. The bus bay shall be constructed according to City of Phoenix Standard Detail P1256 with a connected bus stop pad constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. The entirety of the bus bay shall remain outside of any and all right-hand turn deceleration lanes.
- 46-20. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
- 47-21. 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.