



## Village Planning Committee Meeting Summary

### PHO-3-21—Z-47-19-7

<b>Date of VPC Meeting</b>	November 8, 2021
<b>Planning Hearing Officer</b>	November 17, 2021
<b>Hearing Date</b>	
<b>Request</b>	<ol style="list-style-type: none"> <li>1) Review of site plan, landscape plan, and elevations by the Planning Hearing Officer per Stipulation 33</li> <li>2) Modification of Stipulation 35 regarding a minimum 25 percent of surface parking areas shaded by trees</li> </ol>
<b>Location</b>	West of the intersection of 59th Avenue and South Mountain Avenue
<b>VPC Recommendation</b>	Denial as filed, approved with additional stipulations
<b>VPC Vote</b>	10-1

#### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

**Sofia Mastikhina**, staff, provided an overview of the request, including its locational context, and its existing and surrounding zoning. She explained that this site is directly to the south of the subject site of the previous agenda item. She presented the proposed site plan, landscape plan, and building elevations, as well as the requested stipulation modifications.

**Jason Morris**, representative with Withey Morris PLC, stated that after working with members of the community and the public, they have decided to withdraw the request to reduce surface parking area landscaping. As such, the only remaining request is the review of plans and elevations by the committee. He provided an overview of the site, including the location and history of the area, and explained that the subject site has always be slated for multifamily development. He stated that the proposed density is below that which is allowed by right under the current zoning and explained that one of the reasons for this density reduction was to create more open space. The proposed open space is 14 percent, most of which is usable and not just retention basins. He provided a summary of the overall project including unit count, open space calculation, planned amenities, parking lot shading, and a 10-foot-wide Shared Use Path (SUP) along 59th Avenue. He presented detailed exhibits of the amenity open space areas as well as the overall landscape plan, and the building elevations. He noted that the quality of the architecture reflects the projected high price point of the units.

**Vice Chair Linda Abegg** praised the applicant for providing a project that prioritizes families in their selection of amenities.

**Chair Tonya Glass** praised the applicant for withdrawing their request to reduce the number of trees in the parking areas, as well as for adding more landscaping enhancements such as palm trees. She also praised the high quality of the building elevations, especially the fact that no two buildings on the site will look completely alike.

**Stephanie Hurd** stated that the proposal is much more modern than what is typically developed in Laveen and expressed appreciation for the enhanced amenities. She then stated she was surprised no one has approached the applicant regarding this proposal, as the building height is four stories. She asked if the Chair or Vice Chair had any concerns with this. **Vice Chair Abegg** explained that, in the original rezoning case, this site was permitted this height as a concession to locate the Harkins movie theater on a parcel to the north, which received a height waiver. **Morris** stated that they are will not be seeking any variances on the site and will adhere to the development standards of the zoning district approved in the original zoning case.

**Carlos Ortega** expressed his concern with granting a height waiver for this property and allowing a four-story apartment complex, as residents will not be able to see the mountains. **Chair Glass** explained that the height waiver was granted to the Harking movie theater on a parcel north of the subject site. The zoning for this proposal permits four stories by right.

#### **PUBLIC COMMENT**

**Sandy Hamilton** stated that the amenity package is very nice but that it does not fit in with Laveen. He also expressed concern with only having one vehicular access drive for over 500 units, as well as with the building height.

**Dan Penton** stated that his recollection from the original zoning case is that the height waiver was conditioned upon the building height being stepped back from 59th Avenue to avoid conflicts with the view corridors. **Chair Glass** explained that the height waiver was for the Harkins theater, not this site. **Penton** then expressed concern with the single access point, asked how pedestrian safety is addressed, and asked for clarification on the configuration of the parking along the southern property line.

**Phil Hertel** expressed concern with the single access drive and stated that an emergency access point should be added to ensure emergency vehicles can access the site without conflicting with resident and guest traffic. He noted that 59th Avenue curves north of the site and suggested a right turn lane into the development, on southbound 59th Avenue. He stated that the development is nice and raises the bar for future multifamily developers.

**Morris** clarified that there is no height waiver for this parcel, and that all four-story buildings – which are permitted by right under the current zoning – are interior to the site and at least 150 feet from the street. He explained that the parking spaces along the southern property line are surface spots and will be shaded with structural and tree shade. He then stated that the development could accommodate a deceleration lane on southbound 59th Avenue and an additional emergency access gate.

#### **MOTION**

**Vice Chair Abegg** made a motion to deny the case as filed and approve with two additional stipulations as follows:

1. The development shall incorporate a deceleration lane on southbound 59th Avenue to provide right-turn only ingress to the site, as approved by the Street Transportation Planning and Development Departments.
2. There shall be an emergency access point and gate into the development, as approved by the Planning and Development Department.

The stipulation modification request recommended for denial is the following:  
Modification of Stipulation 35 regarding a minimum 25 percent of surface parking areas shaded by trees.

**Jennifer Rouse** seconded the motion.

**VOTE:**

**10-1**, Motion to approve, with Committee Members Glass, Abegg, Barraza, Flores, Flunoy, Hurd, Knight, Perrera, Rouse, and Rowe in favor and Committee Member Ortega dissenting.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:**

None.