



VILLAGE PLANNING COMMITTEE



## Village Planning Committee Meeting Summary Z-46-18-8

<b>Date of VPC Meeting</b>	September 10, 2018
<b>Request From</b>	S-1
<b>Request To</b>	R1-8
<b>Proposed Use</b>	Single-family residential
<b>Location</b>	Southwest corner of 55th Avenue and Elliot Road
<b>VPC Recommendation</b>	Approval with modifications and additional stipulations
<b>VPC Vote</b>	8-0

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

**Ms. Elyse DiMartino** provided an overview of the request including aerial photographs, General Plan Land Use maps, and zoning maps. She discussed the conceptual site plan noting the density, open space, lot layout, and height. She provided an overview of recommended staff stipulations including requirements for PHO approval of elevations, increased landscaping standards, multi-use trails, pedestrian pathways, open space, perimeter wall requirements, height limitations, detached sidewalks, and street dedications.

**Mr. Chris Colyer, representative with Snell & Wilmer**, explained he had brought the case to the Laveen Citizens for Responsible Development (LCRD) board and received positive feedback. He noted that the applicant had utilized the Laveen Residential Guidelines as well. Mr. Colyer, explained the applicant had heard the Committee's and community's concerns from the neighborhood outreach, August VPC meeting, and LCRD meeting; however, in order to provide an affordable product, all lots must be 45-foot wide. He explained that a study showed that potential property owners will be looking for smaller, more affordable homes instead of larger lots. Mr. Colyer stated that the current real estate market calls for smaller lots; therefore, home builders want to see 45-foot wide lots.

Mr. Colyer discussed the request, outreach that occurred, the staff proposed stipulations, and the applicant proposed stipulations in detail. He explained that he was comfortable with staff Stipulation Nos. 1-5, 7, 9-14, 16-17 and expressed concerns with staff Stipulation Nos. 6, 8, and 15. A summary of the applicant's concerns are below.

- Stipulation 6: The applicant requested to modify the stipulation to remove the language requiring “v-shaped” offsets. He explained the v-shaped offsets would not be viable when adjacent to trees, as the tree roots would cause the wall to lift and possibly break.
- Stipulation 8: The applicant requested to modify to allow a shared-use path along 55<sup>th</sup> Avenue instead of a multi-use trail within a multi-use trail easement. **Mr. Matt Mancini, with 3 Engineering**, explained there would not be enough space along 55<sup>th</sup> Avenue to have a detached sidewalk, landscaping, and a multi-use trail. He stated that if a trail and sidewalk were to be provided, the retention and landscaping would have to be reduced or relocated. He noted that there was an approved multi-use trail along the east side of 55<sup>th</sup> Avenue as well. **Mr. Colyer** added the multi-use trail and easement would be redundant.
- Stipulation 15: The applicant requested to remove Stipulation No. 15. He explained that attached sidewalks will allow for the extended driveways and garages that were requested by the LCRD. He further explained that instead of the requested 22-foot driveway, he was proposing a 20-foot driveway and 22-foot long garage.

**Ms. Linda Abegg** explained that there should be a variety in lot widths as some buyers may want larger lots as well. She expressed concerns with the lot widths and the density being proposed at 4.49 dwelling units per gross acre as it is close to the maximum density allowed, without bonus, in R1-8 at 4.5 dwelling units per gross acre. She suggested the Committee could limit the density by stipulating a maximum density, number of units, or by requesting a percentage of 45, 50, 55-foot wide lots. She explained the Committee could recommend R1-10, which has a lower maximum density than R1-8. Additionally, she expressed concerns related to the driveway and garage lengths.

**Mr. Gary Flunoy** asked if the VPC can recommend that a 22-foot driveway stipulation be put into the CC&Rs? **Ms. DiMartino** explained that the City does not have the ability to enforce a private contract between residents and the developer.

**Ms. Tonya Glass** expressed concern about the location of the open space and view fencing. She explained concerns that all lots are 45-foot wide. She stated that a variety of lot widths should be provided, including larger 50 and 60-foot lots. She explained that a precedent has been set where larger lots are located south of Baseline Road and Dobbins Road.

**Ms. Jennifer Rouse** expressed concerns about the narrow, private streets as it may be difficult for emergency vehicles and trash service to maneuver if vehicles are parked on the street.

**Ms. Glass** stated the street network should be rethought.

**Ms. Stephanie Hurd** expressed major concerns related to density. She stated 45-foot wide lots are not appropriate at the subject site. Additionally, she noted that 45-foot wide lot subdivisions should not be brought to Committee. She stated the 22-foot driveways should be provided.

**Mr. Randy Schiller** noted that he agreed with the other Committee member's concerns. He stated that 45-foot wide lots were too small for the area and the homes are too close together.

**Mr. John Mockus** thanked the applicant for going before the LCRD for comments.

**Mr. Carlos Ortega** stated there are many community concerns that are being expressed on social media regarding street widths, loud neighbors, and lack of open space. He explained that having small lots would not be appropriate. He further explained that other applicants and developers have worked with the Committee to provide a certain percentage of larger lots and increased open space.

**Ms. Lori Gonzalez, resident and LCRD Member**, stated that the LCRD had concerns with the density and the 45-foot lot widths. She also stated that the LCRD recommended 18-inch overhangs be required. Independent of the LCRD, Ms. Gonzalez explained that 45-foot wide lots were not appropriate. Additionally, she noted that there were other 45-foot wide lot subdivisions in Laveen that have been rezoned and never built. She had concerns that, if approved, another 45-foot wide lot subdivision would remain vacant. She stated that Laveen needs a variety of housing.

**Mr. Phil Hertel, resident and LCRD Member**, stated the applicant addressed some of the LCRD comments; however, he still had concerns about the density and lot widths. He stated that while 45-foot wide lots may sell faster, higher density often brings crime. Mr. Hertel suggested that the Committee deny the case as filed and have the applicant revise their site plan.

**Mr. Dan Penton, resident and Laveen Community Council Member**, appreciated the applicant's in-depth presentation. He expressed concerns with the lot widths and density. He stated the Laveen Southwest Growth Study calls for 3.0 dwelling units per acre where the subject site is located.

**Mr. Jon Kimoto, resident and LCRD Member**, stated that he appreciated that the applicant engaged with the LCRD early on in the public hearing process and addressed important comments from the LCRD. He stated that there is a wave of development occurring and he does not want to see an abundance of 45-foot wide lot subdivisions being approved in Laveen. He explained that it is important to preserve the land uses and types of development that make Laveen a rural area. Mr. Kimoto explained that in the past, the Committee and developers have worked together to find a compromise with density and lot sizes. He provided Z-85-16 and Z-49-17 as examples of cases

where applicant's worked with the community on issues with density and lot widths, in order to meet the community's standards. Mr. Kimoto encouraged the Committee to continue to push for larger lots and lower density.

**Ms. Claudine Reifschneider, resident,** noted Laveen is unique and the studies the applicant provided may not be accurate. She stated that Z-49-17 proposed 3.63 dwelling units per acre which is appropriate for the area. She stated that the applicant did not work with the community to make any changes to their site plan. She explained that a 45-foot wide lot means a very small home will be built on the lot. She expressed that she would like to see some negotiation and compromise from the applicant to create a nice development.

**Mr. Colyer** responded to the community and Committee concerns with the following:

- Lot width/density: The lot widths cannot be wider in order to provide an affordable project.
- Open space: The open spaces are large and centralized. He stated that benches and shade sails can be added throughout the open spaces.
- 22 -foot driveways: Extended cab trucks are about 20 feet long which will fit in the proposed 20-foot driveway and in the 22-foot long garage.

**Ms. Abegg** suggested making a motion to approve with changes or the Committee could continue the case and have the applicant come back before the Committee. She stated that the Committee should stipulate to 22-foot driveways, a variety of lot widths, and open space that is distributed throughout the development. Ms. Abegg suggested the Committee discuss what sized lot widths the Committee would be comfortable with and what the percentage would be for each width.

**Ms. Hurd** expressed that she would not be comfortable approving any 45-foot wide lots.

**Ms. Abegg** suggested 75% minimum 50-foot wide lots and 25% 60-foot wide or larger.

**Mr. Flunoy** expressed that a small amount of 45-foot wide lots should be provided in order to compromise with the developer and have more diversity.

**Ms. Rouse** suggested that the Committee make a motion to deny.

**Mr. Randy Schiller** concurred with Ms. Rouse.

*Ms. Jennifer Rouse and Mr. Randy Schiller left the VPC meeting at 8:27pm, bringing the quorum to 8 members.*

**Ms. Abegg** asked staff if the site plan were approved at City Council, would any changes to the plan have to come to the VPC. **Ms. DiMartino** explained that there is not a stipulation requiring general conformance to a site plan; however, the applicant would need to meet all of the approved stipulations.

**Ms. Abegg** asked staff to confirm that the elevations would have to come back to the VPC prior to PHO. **Ms. DiMartino** explained that the VPC would have an opportunity to hear the PHO case.

The Committee discussed the VPC recommended stipulations at length.

**MOTION:**

**Ms. Linda Abegg** made a motion to approve Z-46-18-8 with modifications to Stipulations 1, 6, 9, 15 and recommended additional stipulations. **Mr. Carlos Ortega** seconded the motion.

Modifications:

1. Conceptual elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to single-family design review. The elevations shall incorporate **A FRONT PORCH OR SEATING AREA**, four-sided architecture, and exterior accent materials, detailing, and color palette, that conveys a sense of continuity throughout the development, as approved by the Planning and Development Department.
6. The perimeter walls adjacent to 55th Avenue shall include minimum three-foot ~~v-~~**shaped** offsets at a minimum interval of every four lots. Additionally, materials and textural differences such as stucco and/ or split face block, decorative concrete, brick, and stone, or a combination of these materials with block stucco walls shall be incorporated, as approved by the Planning and Development Department.
9. Right-of-way totaling 30 feet shall be dedicated for the **east WEST** half of 55th Avenue, as approved by the Planning and Development Department.
15. ~~All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include a minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department.~~

Additional Stipulations:

- **THE DEVELOPER SHALL PROVIDE A MINIMUM 22-FOOT DRIVEWAY FOR EACH HOME WITHIN THE DEVELOPMENT.**
- **EACH HOME WITHIN THE DEVELOPMENT SHALL HAVE A MINIMUM OF 18 INCH ROOF OVERHANGS.**

- WHERE TWO, TWO-STORY HOMES ARE BUILT ADJACENT TO EACH OTHER, THE SAME ELEVATION SHALL NOT BE UTILIZED IF BOTH HOMES SHARE THE SAME COLOR SCHEME AND FLOOR PLAN.
- A HALF CHOKER SHALL BE INSTALLED BETWEEN LOTS 32 AND 33, LOCATED ON THE EAST SIDE OF THE MOST WESTERN NORTH/SOUTH STREET.
- ALL LOTS MUST BE A MINIMUM OF 50 FEET WIDE, 50% OF WHICH MUST BE 55 FEET WIDE OR GREATER.
- THE DEVELOPER SHALL PROVIDE OPEN SPACE THAT IS EVENLY DISTRIBUTED THROUGHOUT THE DEVELOPMENT.

**VOTE:**

**8-0**, motion passed, with Committee Members Branscomb, Glass, Abegg, Hurd, Ortega, Mockus, Johnson, and Flunoy, in favor.

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

Staff has no concerns with the recommended modified and added stipulations, other than removing Stipulation 15 with regard to detached sidewalks. Staff recommends detached sidewalks be provided along the perimeter streets at a minimum. Additionally, Staff recommends referencing the conceptual landscape plan that was presented at the meeting, for Stipulation 22. The Laveen Village Planning Committee recommended stipulations are as follows:

1. Conceptual elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to single-family design review. The elevations shall incorporate **A FRONT PORCH OR SEATING AREA**, four-sided architecture, and exterior accent materials, detailing, and color palette, that conveys a sense of continuity throughout the development, as approved by the Planning and Development Department.
2. The developer shall provide a 55-foot landscape setback along Elliot Road, with a minimum of two rows of 50% minimum 2-inch caliper shade trees and a minimum of 50% 3-inch caliper shade trees, 30 feet on center or equivalent groupings, as approved by the Planning and Development Department.
3. The developer shall provide minimum 300 square foot landscaped entry features located on each side of the north entrance on Elliott Road and the east entrance on 55th Avenue. The entry features should include a mix of mature trees, shrubs, and flower beds, as approved by the Planning and Development Department.
4. The developer shall construct a minimum 10-foot pedestrian pathway within a minimum 30-foot centralized open space tract that connects from Elliot Road to

the southern boundary of Tract G as depicted on the site plan date stamped July 11, 2018, as approved by the Planning and Development Department.

5. The developer shall provide a minimum of 18% open space, as approved by the Planning and Development Department.
6. The perimeter walls adjacent to 55th Avenue shall include minimum three-foot **v-shaped** offsets at a minimum interval of every four lots. Additionally, materials and textural differences such as stucco and/ or split face block, decorative concrete, brick, and stone, or a combination of these materials with block stucco walls shall be incorporated, as approved by the Planning and Development Department.
7. Lots located adjacent to 55th Avenue and Elliot Road shall be limited to a maximum of 50% two-story homes, with no more than two, two-story homes built adjacent to each other, as approved by the Planning and Development Department.
8. The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 30-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, for the west side of 55th Avenue, as approved or modified by the Planning and Development Department and the Parks and Recreation Department.
9. Right-of-way totaling 30 feet shall be dedicated for the **east WEST** half of 55th Avenue, as approved by the Planning and Development Department.
10. Right-of-way totaling 55 feet shall be dedicated for the south half of Elliot Rd, as approved by the Planning and Development Department.
11. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of Elliot Road and 55th Avenue, as approved by the Planning and Development Department.
12. The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review prior to preliminary site plan approval.
13. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
14. The street access to the development on 55th Avenue shall align with West Pack Mule Place dedicated on the east side or be off-set by a minimum of 125

feet, as approved by the Planning and Development Department.

- ~~15. All sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include a minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department.~~
- ~~16.~~ 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.
- ~~17.~~ 16. 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.
17. THE DEVELOPER SHALL PROVIDE A MINIMUM 22-FOOT DRIVEWAY FOR EACH HOME WITHIN THE DEVELOPMENT.
18. EACH HOME WITHIN THE DEVELOPMENT SHALL HAVE A MINIMUM OF 18 INCH ROOF OVERHANGS.
19. WHERE TWO, TWO-STORY HOMES ARE BUILT ADJACENT TO EACH OTHER, THE SAME ELEVATION SHALL NOT BE UTILIZED IF BOTH HOMES SHARE THE SAME COLOR SCHEME AND FLOOR PLAN.
20. A HALF CHOKER SHALL BE INSTALLED BETWEEN LOTS 32 AND 33, LOCATED ON THE EAST SIDE OF THE MOST WESTERN NORTH/SOUTH STREET.
21. ALL LOTS MUST BE A MINIMUM OF 50 FEET WIDE, 50% OF WHICH MUST BE 55 FEET WIDE OR GREATER.
22. THE DEVELOPER SHALL PROVIDE OPEN SPACE THAT IS EVENLY DISTRIBUTED THROUGHOUT THE DEVELOPMENT.