



Village Planning Committee Meeting Summary
PHO-5-18—Z-59-88-7 (8)

Date of VPC Meeting	September 11, 2018
Planning Officer	September 19, 2018
Hearing Hearing Date	
Request	<ol style="list-style-type: none">1) Modification of Stipulation No. 4a regarding height of structure to not exceed 20 feet2) Modification of Stipulation No. 4b regarding FAR to not exceed 0.23) Modification of Stipulation No. 4c identify the location of landscaping4) Deletion of Stipulation No. 4d regarding a 6-foot decorative block wall5) Deletion of Stipulation No. 4f regarding the site to be developed with an architectural theme6) Modification of Stipulation No. 5 regarding substantial conformance with site plan dated April 4, 1988 and elevation dated July 15, 1987
Location	Approximately 148 feet east of the southeast corner of 27th Avenue and Southern Avenue
VPC Recommendation	Approval subject to a modification and an additional stipulation
Vote	10-5

VPC DISCUSSION:

Adam Stranieri provided an overview of the request including aerial photographs and zoning maps. He noted existing land uses in the surrounding area. He provided a history of the original rezoning request noting that the conditions of approval contained stipulations addressing both the subject site and a residential component that would not be impacted by the current request. He displayed the original approved and stipulated site plans and elevations. He displayed the proposed site plan and elevations and noted proposed design features and variations. He provided an overview of the applicant's proposed stipulation language.

Robert Orsi, applicant for the request with GRRO Devco, provided an overview of the request including aerial photographs and zoning maps. He stated that the proposed tenant was Sunrise Preschool. He noted that they had conducted extensive research which indicated this area was underserved and that developments trends showed

increasing residential development in the area. He noted that the proposed design has been successful at multiple locations in Arizona. He noted that the request to delete Stipulation #4.d which addresses a pedestrian pathway to the east and south is intended to improve safety and security for children in playground areas adjacent to the proposed building. He noted the location of classrooms, fire access points, and main building entrances. He provided an overview of peak activity hours, drop-off and pick-up times, and transportation services provided by Sunrise Preschool.

Perry Ealim asked if the applicant would be utilizing local contractors to develop the site. **Mr. Orsi** stated that he would. He noted that the proposed general contractor is a minority-owned business located in Phoenix.

Mr. Ealim asked what was proposed at the northwest corner of the site, which is exempted from the request. **Mr. Orsi** stated that he believed this area was required to be retained for drainage purposes and that at this time there is no proposed development of this area.

Patrick Brennan asked if the proposed layout for driveways onto Southern Avenue complied with City regulations for distance from an intersection and curb returns. **Mr. Orsi** stated that the site was designed in compliance with City codes and ordinances and that a full site plan review would be required.

Sara Christopherson asked where drainage would be located on the site. **Mr. Orsi** noted proposed locations at the perimeter of the site. He stated that grading and drainage plans would be submitted and reviewed by the City for compliance.

Tamala Daniels asked for clarification regarding the proposed elevations. **Mr. Orsi** noted proposed building materials, colors, ingress and egress points, and window design and displayed a materials board. **Ms. Daniels** expressed concern that the proposed color palette did not represent a modern, urban design aesthetic. She requested that the applicant consider a more contemporary color palette and a greater diversity of building materials which may include the use of metals, wood, or other contrasting materials.

Ms. Daniels asked for clarification regarding proposed sustainability features. **Biby Carbonneau**, architect for the project with Hamilton Architecture, stated that many building features would be consistent with LEED requirements but that the building would not be submitted for LEED certification unless the property owners requested this. **Mr. Orsi** noted that the City of Phoenix has strict sustainability regulations when compared to other jurisdictions in the surrounding area.

Gene Holmerud stated that he would like the applicant to consider using roof materials with a high-albedo rating in order to mitigate the urban heat island effect.

Joseph Larios expressed concern that the applicant had not considered the unique local history and need for childcare services in the surrounding area when designing the project. He stated that many families in the surrounding area are impacted by incarceration,

chronic illness, and drug addiction. He stated that these families are in great need and are not often engaged in dialogue regarding development in their community. He stated that public art projects can engage local communities in discussions regarding their history and concerns. He stated that he would like to see the developer engage the local community in conversation to discuss health disparities and other issues that can be translated into a public art project on the subject site. **Mr. Orsi** stated that he was unsure what form that dialogue may take and how it would be enforced through the development process. He noted that Sunrise Preschool would have on-site amenities to allow children to participate in art projects.

Mr. Ealim expressed concern that the tenant may not target the local community or disseminate information in a fair or equitable manner. He asked how the applicant proposed to advertise their service. **Mr. Orsi** stated that they would primarily utilize signage and online advertising. He noted that many Sunrise Preschool customers are families receiving subsidies or public assistance and that their business model does not select or exclude any particular children from attending.

MOTION

Marcia Busching made a motion to recommend approval of the request with a modification to revise Stipulation #4.d to require that any new walls along the southern property line provide a pedestrian access point.

Joseph Larios proposed a friendly amendment to require the developer to engage the local community in dialogue regarding health disparities and other local concerns that would culminate in a public art project on the subject site.

Ms. Busching expressed concern that the proposed amendment would not be enforceable by the City and asked staff to provide commentary. **Mr. Stranieri** stated that stipulations in zoning cases typically address development standards and design guidelines to exceed existing Zoning Ordinance standards. He noted that the Zoning Ordinance does not require public art installations on commercially zoned properties. He also noted that enforcement of zoning stipulations typically occurs during the site plan review process and that the proposed amendment may be difficult or impossible for the City to enforce.

Ms. Busching stated that she would not accept the friendly amendment as worded. She suggested that **Mr. Larios** consider whether he would prefer a particular type of art project, such as a mural or sculpture.

Mr. Larios noted that there are numerous organizations working on health related issues in the surrounding community that the developer may collaborate with. He suggested that the applicant develop an engagement process with the local community to capture their perspective on health disparities and related concerns to inform a collaboration on a mural.

Mr. Larios proposed a friendly amendment to require that the developer engage the local community in a dialogue focused on health disparities and related concerns that shall result in a collaboration on a mural to be painted on the exterior of the proposed building.

Ms. Busching accepted the friendly amendment. **Perry Ealim** seconded the amended motion.

VOTE

10-5 Motion to recommend approval of the request subject to a modification and additional stipulation passed; with members Brooks, Busching, Brennan, Castello, Daniels, Ealim, Holmerud, Kotake, Larios, and Smith in favor, and members Christopherson, Glueck, Shepard, Tunning, and Vera opposed.

VPC RECOMMENDED STIPULATIONS

1. That the development be limited to a maximum of 4.72 dwelling units per acre.
2. That the trail as shown on the site plan dated July 25, 1987 shall be an equestrian/pedestrian trail and that the easement shall be a maximum of 17.5' in width consisting of 4' of landscaping adjacent to the street, 10' for the equestrian/pedestrian trail 3.5' to the center of the wall. The trees in the 4' buffer shall be 24" box trees placed 30' on center or in equivalent groupings and shall be canopy-type trees.
3. That the following right-of-way be dedicated within one year of final City Council approval. Rationale, all the traffic stipulations below have been previously satisfied and are present near the site per Derek Falcon, City of Phoenix traffic.
 - a. Type I flares at 27th Avenue and Southern Avenue.
 - b. Forty-foot half street of 27th Avenue and Southern Avenue.
 - c. 21' x 21' triangle at 27th Avenue and Southern Avenue.
 - d. Additional right-of-way for right turn lanes as determined by the Development Coordination Office.
4. That the following standards of development be applied to the commercial zoning:
 - a. That the height of the structures not exceed ~~20 feet with the exception of parapets and bell towers as identified on the elevation.~~ 2 STORIES AND 30 FEET.
 - b. That the ~~FAR of the site not exceed 0.2.~~ LOT COVERAGE NOT TO EXCEED 50%.

- c. That along the ~~property lines~~ DEVELOPED PORTION OF THE PROPERTY LINE there shall be incorporated 2 ½ inch caliper resistant shade trees, planted an average of 20 feet on center or in equivalent groupings as approved by the Development Coordination Office.
 - d. ~~That a six feet decorative block or stucco wall shall be required along the east and south property lines with provision for pedestrian access.~~ **WALLS ALONG THE SOUTH PROPERTY LINE SHALL PROVIDE A PEDESTRIAN ACCESS POINT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**
 - e. That parking and/or loading areas be screened and noise attenuation be provided to ensure compatibility with the residential area.
 - f. ~~That the site be developed with a uniform architectural theme, including colors, exterior finish materials and roofing materials.~~
 - g. That the driveways be permitted within 200 feet of the northwest corner of the commercially zoned property on Southern Avenue and 173 feet on 27th Avenue.
 - h. That landscape strips along Southern Avenue and 27th Avenue average a minimum of 20 feet in width.
 - i. That design of the site/building be integrated with the residential subdivision street pattern to provide pedestrian integration with the site and pedestrian accesses be provided from the residential area to commercial.
- 5. That development be in ~~substantial~~ GENERAL conformance with the site plan ~~dated April 4, 1988, and elevations dated July 15, 1987. Revised site plan dated 8/01/2018.~~ DATE STAMPED AUGUST 1, 2018 AND ELEVATIONS DATE STAMPED AUGUST 1, 2018.
 - 6. That development commence within 18 months of final City Council approval of the change in zone in accordance with Section 108-M of the Zoning Ordinance.
 - 7. That the need for and location of 25th Avenue as shown on the site plan dated April 4, 1988, be determined by DCO in light of plans for the development of the property to the east.
 - 8. That traditional convenience-type stores be excluded.
 - 9. **THE DEVELOPER SHALL ENGAGE THE LOCAL COMMUNITY IN A DIALOGUE FOCUSED ON HEALTH DISPARITIES AND RELATED CONCERNS THAT SHALL RESULT IN A COLLABORATION ON A MURAL TO**

**BE PAINTED ON THE EXTERIOR OF THE PROPOSED BUILDING, AS
APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

Staff does not have concerns regarding the proposed modification to Stipulation #4.d to require a pedestrian access point for walls along the south property line.

Staff has concerns regarding the enforceability of the VPC's recommended additional stipulation #9, which requires the developer to engage the local community in a dialogue focused on health disparities and related concerns in order to collaborate on a mural to be painted on the exterior of the proposed building.