



Village Planning Committee Meeting Summary Z-6-20-2

Date of VPC Meeting	October 5, 2020
Request From	C-2 PCD (Intermediate Commercial, Planned Community District) (1.51 acres)
Request To	PUD (Planned Unit Development) (1.51 acres)
Proposed Use	Multifamily residential and commercial uses
Location	Approximately 750 feet north of the northeast corner of 71st Street and Kierland Boulevard
VPC Recommendation	Approval, per staff's recommendation
VPC Vote	12-3

VPC DISCUSSION & RECOMMENDATION:

2 speaker cards were submitted in opposition, wishing to speak.

Mr. David Simmons, staff, provided an overview of the request. He discussed current heights in the area, the General Plan Land Use Map designation, the surrounding zoning designations and uses and setbacks proposed. Mr. Simmons also discussed several policy plans in which this proposal is in line with, including the Bicycle Master Plan, Major Employment Centers, Complete Streets Guiding principles and more.

Mr. Nick Wood, with Snell & Wilmer, representing the applicant, provided an in depth presentation going over every facet of the project to include setbacks, distance between surrounding building, heights, amenities proposed, landscaping, development standards, parking and grade changes in the area, pedestrian experience along 71st Street and more.

Ms. Toby Gerst shared concerns that this area is redeveloping piecemeal. She stressed concerns that spot zoning is dominating the area. She expressed the need for a master development plan for the Kierland corridor.

Mr. Robert Goodhue stated that the City of Phoenix does not protect view corridors. If the owner of an existing unit was promised views the owner has a lawsuit against the developer, not the City of Phoenix.

Mr. Paul Severs asked who is responsible for creating a master development plan.

Chairwoman Jennifer Hall shared that the committee will be discussing the potential for a Kierland Character Area Plan later in the meeting.

Ms. Allison Barnett stated that one of the biggest complications is along this corridor is that it is split between the City of Scottsdale on the east side and the City of Phoenix on the west side. It is difficult to create a character area plan on just one side of the street. If the committee opts to move forward with a character area plan it is imperative to include stakeholders from the City of Scottsdale in the process.

Ms. Barnett asked staff if the applicant met their outreach requirements for this case.

Mr. Simmons shared that the applicant did meet their public meeting requirements for this application. Otherwise, they would not have been able to move forward to public hearings.

Ms. Barnett shared that she appreciates Mr. Woods robust presentation, but would appreciate a more succinct presentation moving forward. She asked the applicant if he could provide a shorter presentation next time, so the public has more time to chime in on the development. She stated that the time is not equitable when the applicant takes up so much time in the meeting. She also concurred with her fellow committee members in regard to the need for a Kierland Character Area Plan.

Mr. Goodhue shared that he has concerns with premiums being placed on existing Optima units that currently have views which will be blocked by future development in the area. This gives a false sense of view protection.

Mr. Wood provided a historical perspective on view corridors. He shared that disclosures were provided upon sell of existing Optima units.

Mr. Alan Sparks shared that he lived in the Kierland neighborhood and that he drives down 71st Street every day. He shared that he and friends had toured an existing Optima unit as perspective buyers and had a good experience. He stated that the Optima representative disclosed to them that views are not protected, and that future development is expected to the north and east.

Ms. Gerst asked the applicant if he had discussions with the opposition for Case No. Z-33-20-2, Optima Kierland Center Phase 2 about this case.

Mr. Wood shared that he had not as they do not have concerns about this case.

Public Comment:

Ms. Heidi Brake-Smith Has concerns about what was outlined in the staff report. She stated that the staff report references city wide policy plans, but nothing specific to Kierland. She stressed the importance of the city initiating a Kierland Character Area Plan to guide development within the corridor moving forward. She shared that she likes the Optima developments overall, however, density is a major concern as well as open space. She also shared that she has concerns about setbacks and distance between all building within the corridor. She wants to ensure that future development have enough space and distance from existing developments. She shared that a 0-foot setback is unacceptable,

and the developers are playing a very dangerous game. She stressed the importance of applicants providing graphics which depict all existing and proposed projects to give a wholistic view of the corridor, not just site specific.

Mr. Scott Smith asked what the rush to develop is. The Optima owners have enough wealth to halt until a Kierland Character Area Plan is approved for the area.

Ms. Allison Barnett asked if this item could be continued if a motion needs to be made.

Mr. Simmons explained the protocol and stated that a motion must be made on the item this evening.

Mr. Nick Wood explained that they have been working on this project, to include public outreach and participation, since June of 2019, which far exceeds the requirement for public outreach for a typical zoning case of 4 to 6 months. He highlighted that they have been working with surrounding stakeholders for one year and three months.

Ms. Barnett shared that she respects the Hovey's (Optima Developers) and gave them accolades for outstanding developments. However, she believes they can afford to wait for a Kierland Character Area Plan prior to moving forward with future developments. She exclaimed that she and her fellow committee members want to look back on Kierland 20 or so years from now and feel proud of the way they directed development in the area. She stated that it is difficult to achieve a cohesive design scheme if there is no character area plan in place to guide development.

VPC Discussion:

Ms. Toby Gerst has concerns that no massing plan was provided depicting all existing and recently approved developments in the Kierland corridor. She has concerns that this area is becoming a major urban hub, way too dense for the area. She expressed several concerns about piecemeal development in the area.

Mr. Jay Cantor stated that he thinks this is a good project as a stand-alone project, but it is in a silo. He stated that the committee can no longer look at Kierland projects in a silo, but as an overall addition to the area. He has concerns about density.

Mr. David Ulibarri stated that Mr. David Simmons reviewed the project and is recommending approval as it is in line with various policy plans and is consistent with the character of the surrounding area. He shared that there is not a Kierland Character Area Plan in place. Therefore, this cannot be a consideration tonight. This case needs a recommendation tonight based on the merits of the case.

Mr. Roy Wise concurred with Mr. Ulibarri. He too stated that a master plan does not exist, therefore a motion needs to be made. He stated that the case is consistent with the General Plan, which is an existing guiding document for the area.

MOTION:

Mr. Alan Sparks made a motion to recommend approval of Rezoning Case No. Z-6-20-2 per eh staff recommendation.

Mr. Robert Goodhue seconded the motion.

VOTE:

12-3 with committee members Balderrama, Belous, Goodhue, Leshner, Mazza, Mortensen, Severs, Sparks, Stewart, Ulibarri, Wise, Gubser and Hall in favor. Committee members Barnett, Cantor and Gerst not in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None