



Village Planning Committee Meeting Summary

GPA-PV-1-21-2

Date of VPC Meeting	October 04, 2021
Request	To amend the General Plan Land Use Map Designation on approximately 2.56 acres located at the southwest corner of Scottsdale Road and Bell Road from Industrial to Mixed Use (Commercial / Commerce / Business Park / Residential 15+ dwelling units per acre)
Location	Located at the southwest corner of Scottsdale Road and Bell Road
VPC Recommendation	Approval
VPC Vote	14-1 with committee members DiMassa, Gerst, Goodhue, Hall, Mazza, Mortensen, Petersen, Popovic, Severs, Sparks, Ward, Wise, Leshner and Gubser in favor. Committee member Balderrama not in favor.

VPC DISCUSSION:

Cases GPA-PV-1-21-2 and Z-12-21-2 were heard concurrently.

1 speaker card was submitted in support, wishing to speak.

Mr. David Simmons, staff, provided an overview of the request to include background of how the area developed overtime. He went over the GPA and Rezoning requests concurrently as they are companion cases and reminded the Committee that the GPA case will require a motion prior to the rezoning request. Mr. Simmons shared how the GPA request is consistent with several core values of the General Plan. He explained that the rezoning request supports several policy plans to include the Maricopa Association of Governments (MAG) Desert Ridge and Kierland Employment Center, Comprehensive Bicycle Master plan, Tree and Shade Master Plan, Complete Streets Guiding Principles, Zero Waste Phoenix as well as helps to meet the goals of The Housing Phoenix Plan. Mr. Simmons also shared the reasoning behind several of the proposed stipulations for the case including Stipulation 1.e. recommending the building height be limited to a maximum of 110 feet as there is no existing policy basis to support the proposed height of 141 feet. However, since no adopted policy plan exists for the Scottsdale Road corridor, the Village Planning Committee is more than able to recommend what they feel is appropriate for this site. He shared that the site is unique as it is located on the corner of two Major Arterials as well as transit corridors, which could warrant more height.

Vice Chairman Joe Leshner asked staff what the maximum height is.

Mr. Simmons shared that the maximum height stipulated by staff is 110 feet, however, the applicant is proposing a maximum height of 141 feet, exclusive of roof top amenity structures.

Ms. Diane Petersen shared that she has concerns with traffic patterns on the private access drive (71st Street).

Applicants Response:

Mr. Nick Wood, Snell & Wilmer, provided an in-depth and detailed presentation on both cases concurrently. He stated that the existing commercial retail on this site is closing and as a result, the property is selling. He shared that the proposed project is an architectural marvel that will be highlighted as a “gem” of the corridor, if approved as proposed by the applicant. He shared that corner serves as a gateway to the Kierland area and Scottsdale Road corridor to the south. He also highlighted that the improvements to the site would be a welcome addition to the area, creating a pedestrian friendly environment and an aesthetically pleasing entry gateway with pedestrian friendly lighting and an above par garage wrap, mimicking commercial retail storefronts.

Mr. Wood shared that the Scottsdale Airport employs more than 50,000 people currently and is growing to accommodate more than 70,000 workers in tech and other high paying, professional industries. Housing is needed for this growth in workforce and this proposal would fulfill the need for executive level housing options in the area. He also highlighted that the proposal is located within a Major Employment Center. This proposal would also fulfill the goals of alternative housing option in a Major Employment Center. Mr. Wood elaborated on Centers and Corridors outlined in the City of Phoenix General Plan. Although no formal Centers or Corridors have been adopted, the Kierland Area would constitute this, but has yet to be formally established. The applicant's proposed height would be supported if this corridor was considered a formal Corridor. Mr. Wood also shared graphics of what the roof top amenity areas would look like upon completion. Further, Mr. Wood shared projected traffic counts and emphasized that this proposal would not add any additional strain to traffic patterns in the area, per CivTech's traffic analysis.

Mr. Wood proposed changes to two of staff's recommended stipulations as follows:

Stipulation No. 1.d. Update narrative to reflect a maximum building height of 141 feet, ~~inclusive~~ EXCLUSIVE of non-dwelling space utilized for resident amenities located on the roof deck.

Stipulation No. 1.e. Add the following development and design standards to the development narrative: A minimum of two building entrances, one on OR WITHIN 50 FEET OF Scottsdale Road and one on OR WITHIN 50 FEET OF Bell Road, that directly connects to the publicly accessible sidewalk adjacent to the street. All pedestrian entrances shall be defined by pedestrian-oriented scale and the use of distinctive materials and architectural elements per Section 1305.3.a. in the Zoning Ordinance, as approved by the Planning and Development Department.

Lastly, Mr. Wood went over community outreach efforts and applauded the team for mitigating all opposition prior to public hearings for recommendation.

Ms. Cindy DiMassa stated that there are currently no sidewalks along the private access drive (71st St). If pedestrians do not have access to Bell Road and Scottsdale road residents will have to walk on the private access drive, which will put them in danger.

Mr. Wood shared that they are proposing exits for residents on the corners of the building, which will provide direct access to tenants to both Bell road and Scottsdale Road from eh building.

Mr. Robert Goodhue asked if the public outreach slide, reflecting all of the dots, address building heights.

Mr. Wood shared that the graphic does not address building heights but is directly related to a broad based policy document similar to a General Plan.

Mr. Alex Popovic gave kudos to the development team for mitigating all opposition prior to coming before the hearing bodies for recommendation. He shared that he is in full support of the proposal as presented by the applicant, to include the proposed height of 141 feet.

Vice Chairman Joe Leshner asked if the intersection at 71st Street and Bell was safe for left hand turns wests bound on Bell.

Ms. Dawn Cartier, CivTech Traffic Engineer, shared that the intersection is safe, but not easy to maneuver during peak hours.

Ms. Toby Gerst asked staff why the proposed stipulation limiting the height to 110 feet.

Mr. Simmons shared that there is no current adopted policy plan in place that would support the applicants proposed height at this time, but there are site conditions that would warrant a height of 110 feet based on formulas used to justify heights on recently approved projects using distance from single-family residential as a justification.

Mr. Wood shared that the staff reports highlights that the Village Planning Committee is open to make recommendations on height due to the lack of existing policy plans in the area. He defended the proposed height of 141 feet, exclusive of roof top amenity structures.

Ms. Gerst asked if the applicants proposed height was okay with the City of Scottsdale Aviation Department.

Mr. Simmons shared that the City of Scottsdale Aviation Department did not provide any recommended stipulations in regard to height for this proposal.

Mr. Roy Wise asked if 71st Street has access to Bell Road and Scottsdale Road.

Mr. Wood shared that access is existing on both Major Arterials from the private access drive (71st Street).

Mr. Paul Severs asked if this proposal was limited to 110 feet, as proposed by staff, would it kill the project from moving forward.

Mr. Wood shared that the project would not make economic sense if it were to be capped at 100 feet, therefore, it would kill the project.

Mr. Alan Sparks shared that he loves the building as proposed. He shared that he lives in the neighborhood and has no objection to the applicants proposed height. However, he shared that he is opposed to the project due to lack of improvements on 71st Street. He stated that there are no proposed or existing sidewalks on the private access drive. He shared that the street is too narrow and is a small two way private street. He also shared that people illegally park along the street, which blocks easy ingress and egress through the area. He also shared concerns about emergency responders being able to get through the street when cars are illegally parked along it. He asked if the developer plans to improve it or address the existing inadequate conditions.

Mr. Wood shared that CivTech determined that the private access drive was indeed adequate and safe in regard to the number of units proposed. He shared that this is outlined in the traffic analysis report generated by the traffic engineer.

Ms. Gerst asked if the number of units proposed was for the 110 feet or 141 feet.

Mr. Wood shared that the 255 units were proposed at the height of 14 feet. If the project is capped at 110 feet, the developer will walk away, and the project will not come to fruition.

Ms. Gerst asked if it were a possibility to gate the private access way in an effort to make the project a private community.

Mr. Wood shared that this was not a possibility as the public needs access through the private access drive as well.

Chairman Robert Gubser shared that higher traffic generating uses line the private access drive and the access way functions just fine now.

Mr. Wood concurred.

Mr. Popovic asked what alternative exists for the site if this project does not come to fruition. He also shared concerns with illegal parking along the private access way. He recommended having illegally parked cars towed to help to mitigate this problem.

Ms. Diane Petersen asked if the developer would walk if the height were capped at 110 feet.

Mr. Wood shared that the developer would walk if the height were to be capped at 110 feet.

Public Comment:

Mr. Bryan Jefferies spoke in support of the proposal. He shared that this use would generate much lower traffic counts than a commercial use and provides alternative housing options for executives working in the Scottsdale Airport. He also shared that the proposed height by the developer is a non-issue as the

project is quite far away from single-family residential uses. He stated that the project would not have a negative impact on existing residents.

Mr. Abram Bowman left the meeting around 8:00, bringing quorum down to 15.

Applicants Response:

Ms. Dawn Cartier, CivTech Traffic Engineer, proposed an alternative to the perceived issues with the right hand turn onto Bell Road from the private access drive. She recommended the committee propose an additional stipulation requiring further discussion with the Streets department for the addition of a refuge lane on Bell Road west bound.

Mr. Nick Wood, Snell & Wilmer, stated that he would be happy to add this as a stipulation. He shared that the applicant would have to ask permission for an additional lane in the median from the Streets department.

Chairman Robert Gubser asked if there were any additional concerns about 71st Street servicing this project.

Ms. Cartier replied, no.

Mr. Alan Sparks stated that he does have concerns with the existing conditions on 71st Street.

Mr. Wood asked the committee to recommend approval subject to the two stipulation modifications he proposed as well as the addition of two additional stipulations discussed by the committee.

Chairman Gubser expressed his full support of the project as proposed by the applicant.

Vice Chairman Joe Leshner expressed concerns with the proposed height. He shared that he had researched height in the area and the closets building with similar height were located on the Scottsdale Waterfront in Old town Scottsdale. He also shared that the new buildings along Tempe Town lake were comparable in height. He shared that he is willing to support the staff recommendation of 110 feet maximum. He shared that he feels that the applicants proposed height does not feel right for this area.

Ms. Cynthia DiMassa stated that towing the cars along the private access drive would be a waste of time for the Phoenix Police Department.

Mr. Robert Goodhue stated that he has a couple of issues. He shared that if a building were to have a height proposed by this applicant in this area, this site would be the most appropriate. He also shared that the character of the area is changing in this direction.

Ms. Gerst asked if it would be more palatable for the maximum building height to be 141 feet inclusive of the roof top amenity structures.

Mr. Wood shared that the roof top amenity structures are in descript and cannot be seen from the street level.

Ms. Jennifer Hall stated that the committee does not have an adopted policy basis for this area, even though it has been asked to be initiated in the recent past. She stated that the applicant's proposal of 141 feet is acceptable due to the unique conditions on this specific site. She is also amazed that there is no public opposition and applauded the applicant for mitigating all concerns prior to public hearings.

MOTION:

Mr. Alex Popovic made a motion to recommend approval of General Plan Amendment Case No. GPA-PV-1-21-2, per the staff recommendation.

Mr. Robert Goodhue seconded the motion.

VOTE:

14-1 with committee members DiMassa, Gerst, Goodhue, Hall, Mazza, Mortensen, Petersen, Popovic, Severs, Sparks, Ward, Wise, Leshner and Gubser in favor. Committee member Balderrama not in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.