

PLEASE RESPOND ELECTRONICALLY TO BRAD WYLAM 2ND FLOOR, 602-256-3322



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

To: Departments Concerned
From: Alan Stephenson
Planning & Development Department Director
Date: July 16, 2021
Subject: **P.H.O. APPLICATION NO. PHO-1-21--Z-52-08-7** – Notice of Pending Actions
by the **Planning Hearing Officer**

1. Your attention is called to the fact that the **Planning Hearing Officer** will consider the following case at a public hearing on **August 18, 2021**.
2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by **July 23, 2021**.

DISTRIBUTION

Mayor's Office (Lisa Fernandez), 11th Floor
City Council (Matthew Heil), 11th Floor
Aviation (Sheldon Daisley)
CED (Michelle Pierson), 20th Floor
Fire Prevention (Aaron Conway), 2nd Floor
Light Rail (Joel Carrasco/Special TOD Only)
Neighborhood Services (Gregory Gonzales, Lisa Huggins), 4th Floor
Parks & Recreation (Natasha Hughes), 16th Floor
Public Transit (Kathryn Boris)
Public Works (Ray Dovalina, Kristina Jensen, Elise Moore, Rudy Rangel), 5th Floor
Street Transportation Department (Maja Brkovic, Alan Hilty, Chris Kowalsky), 5th Floor
Street Transportation - Ped. Safety Coordinator (Mailen Pankiewicz), 5th Floor
Water Services (Don Reynolds, Victor Romo), 8th Floor
Planning and Development (Alan Stephenson, Joshua Bednarek), 3rd Floor
Planning and Development/Information Services (Ben Ernyei, Andrew Wickhorst), 4th Floor
Planning and Development/Historic Preservation Office (Kevin Weight), 3rd Floor
Planning Hearing Officer (Tricia Gomes, Adam Stranieri, Brad Wylam), 2nd Floor
Village Planner (Sofia Mastikhina, Laveen Village)
Village Planning Committee Chair (Tonya Glass, Laveen Village)



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR PLANNING HEARING OFFICER ACTION

APPLICATION NO: PHO-1-21--Z-52-08

Council District: 7

Request For: Stipulation Modification

Reason for Request: Modification of Stipulation 1 regarding general conformance with the site plan date stamped October 23, 2008. Modification of Stipulation 2 regarding general conformance with the elevations date stamped October 23, 2008. Deletion of Stipulation 5 regarding a comprehensive sign plan. Modification of Stipulation 6 regarding general conformance with the conceptual landscaping plan date stamped October 23, 2008. Deletion of Stipulation 8 regarding a pedestrian walkway at the corner of Baseline Road and 67th Avenue. Deletion of Stipulation 15 regarding final elevations for PAD-1. Technical corrections to stipulations 3, 4, 7, 9, 11, 12, and 13.

Owner	Applicant	Representative
Arrowhead Apts Property Investments LLC	Adam Baugh, Withey Morris PLC	Adam Baugh, Withey Morris PLC
3719 East Baseline Road	2525 E Arizona Biltmore Cir, Suite A-212	2525 E Arizona Biltmore Cir, Suite A-212
Phoenix AZ 85042	Phoenix AZ 85016	Phoenix AZ 85016
(602) 230-0600	(602) 230-0600	P: (602) 230-0600 F:
adam@witheymorris.com	adam@witheymorris.com	adam@witheymorris.com

Property Location: Northwest corner of 67th Avenue and Baseline Road

Zoning Map: D-4 Quarter Section: 1-12 APN: 104-83-018 Acreage: 10.92

Village: Laveen

Last Hearing: CC HEARING

Previous Opposition: No

Date of Original City Council Action: 12/03/2008

Previous PHO Actions: _____

Zoning Vested: C-2

Supplemental Map No.: _____

Planning Staff: 080534

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$1,725.00	\$0.00	06/04/2021	21-0052128	Original Filing Fee

Signature of Applicant: _____ DATE: _____

Hearing Results

Planning Hearing Officer	Planning Commission	City Council
Date: <u>08/18/2021 1000 AM</u>	Date: _____	Date: _____
Appealed?: _____	Appealed?: _____	

Action: _____

Action: _____

Action: _____



PHONE: 602-230-0600

FAX: 602-212-1787

2525 E. Arizona Biltmore Circle, Suite A-212, Phoenix, AZ 85016

June 4, 2021

Via Hand Delivery

Adam Stranieri
City of Phoenix
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: NWC Baseline Road and 67th Ave, Phoenix, AZ / Z-52-08

Dear Adam:

The subject parcel for this Planning Hearing Officer application is approximately 10.95 gross acres located northwest corner of Baseline Road and 67th Avenue, Phoenix, AZ as shown on the Aerial Map attached at **Tab 1** (the "Property"). The Property is currently zoned C-2 (approved), as shown on the Zoning Map attached at **Tab 2**. A church is currently located on the Property.

In 2008, the Property was rezoned from S-1 to C-2 per the rezoning case Z-52-08-7. See Rezoning Approval Letter at **Tab 3**. The rezone approval is subject to 17 stipulations. The original rezoning case was for a commercial development, which is referenced in many of the stipulations, and are no longer relevant given the proposal is not for commercial uses.

The challenge with the current state of zoning in 2021 is the undersupply of multifamily zoned properties west of the Loop 202, as seen in the Zoning Map at **Tab 2**. Commercial uses are unlikely at this location because they are too far from the Loop 202; properties directly adjacent to the freeway are more attractive for commercial development given their access and visibility off the freeway. This is best demonstrated in the lack of commercial development since the site was zoned commercial more than 13 years ago.

This case provides a better opportunity for an appropriate residential use in this area and bring a new townhome rental community to Laveen. Prior to filing this application, we engaged with the neighbors via multiple virtual and in-person meetings and door knocking effort to discuss the plan, as described further below.

Proposal

Fourplex Investment Group proposes to construct a new townhome development allowed in C-2 zoning, per R-3 density and standards. Parking provided for the property will exceed required spaces,

with a total of 467 parking spaces. The community will offer 155 townhomes with ample shared amenities including a children's play structures, ramadas, a pool and deck, cabana, and leasing office with restrooms, and landscaped areas around the Property. Open space for the Property will exceed the required 5% and will provide 12% of open space. See Site Plan at **Tab 4**.

The elevations for the community are in line with Laveen architecture with pitched roofs, and facades including brick and stucco, in muted desert colors. Each unit will be a 3-bedroom home with two car garages. See elevations at **Tab 5**.

Neighborhood Outreach

Neighborhood outreach has been a priority for this project. Prior to this submittal, we knocked on doors in the adjacent neighborhoods and hosted three neighborhood meetings to discuss the site plan and proposal with adjacent residents.

From March 3-4, the developer knocked on doors in the adjacent neighborhoods and provided them with a brochure and site plans discussing the project. Notices were mailed to property owners within 300 feet and neighborhood associations within 600 feet about the project and inviting residents to a virtual neighborhood meeting on March 23.

The first neighborhood meeting was held on March 23 via Zoom and had 84 community members attend that meeting. The feedback heard from the meeting was that the project is too dense, there needs to be more amenity/open space in the project, and there were concerns with increased traffic along Baseline Road. In addition, at that meeting we asked that anyone interested in forming a "sub-committee" of residents to discuss the project in more depth to reach out to us.

The sub-committee group led to a smaller in-person meeting on April 19 to discuss the site plan and elevations. Representatives from the neighborhood met to discuss the project. The key insights that came out of that meeting were:

- Reduce units
- Will there be sufficient parking for residents and guests
- Better pedestrian connectivity to the canal
- Access on Baseline Road could be shifted
- Larger buffer along the east property line
- Elevations are too modern and do not accurately represent the Laveen aesthetic
- More open space on the site
- Ensure that the project will be secure

With this neighborhood feedback, the team modified the site plan and elevations, as described below:

- The density was reduced from 165 units to 155 units
- There are now 467 parking spaces proposed (only 310 spaces required)
- The buildings on the east were moved to provide a larger setback and buffer
- Increased the open space from 5% to 12%.

- The elevations were updated to be more consistent with the desired style and design in Laveen – including brick facades, pitched roofs, and desert colors
- Access on Baseline Road was shifted toward the west to mitigate any vehicular conflicts at the intersection of 67th Avenue and Baseline Road
- More amenities were included and are dispersed throughout the project
- Pedestrian gate is now including to the north to provide the residents access to the canal

We hosted a second in-person meeting, on May 24 to share these changes with the community. There were approximately 10 nearby residents who attended the third neighborhood meeting. The changes to the site plan were generally well received, and there were comments that many of the concerns were addressed in the updated plans.

A concern still existed about traffic and school capacity with new residential that came up in the discussion. We explained that typically, a retail shopping like the one currently zoned tend to create far more trips than a residential use. We also shared that our type of townhome community does not generally have many school age children. While families will certainly live here, the lack of yard space and small unit size tend to attract individuals and smaller families without school age children. As children age, these families tend to move to residential homes with larger yards and garages for bikes.

From this extensive neighborhood outreach, the site plan and elevations presented in this application have been vetted and modified by the adjacent neighbors to create a better project that will be an asset to the Laveen community and neighborhood.

General Plan

This type of use is supported by the goals and policies outlined in the Phoenix General Plan, including the following:

- **DIVERSE NEIGHBORHOODS.** Land Use Goal: Include a mix of housing types and densities where appropriate within each village that support a broad range of lifestyles.
 - The proposal provides attainable housing for folks who live and work in the Laveen Village. While there are many residential subdivisions, there are few townhome developments, and even less which provide rental opportunities like this. This fills an underserved land use category in Laveen.
- **OPPORTUNITY SITES.** Land Use Goal: Promote and encourage compatible development and redevelopment with a mix of housing types in neighborhoods close to employment centers, commercial areas, and where transit or transportation alternatives exist.
 - This proposal provides a compatible housing development, which will provide an appropriately scaled project adjacent to single-family residential and located near the Loop 202. This project in this location is a more appropriate use than a commercial corner.

Southwest Growth Study/Laveen

The Property is within the Laveen Village and the development meets many of the *Laveen Southwest Growth Study* design items for multifamily development such as:

- Open space is placed in a central location that is accessible to all and not clustered in the middle of buildings.
- Parking occurs internal to the site and not at the perimeter as the buildings will be located along the street frontage to provide a welcoming atmosphere.
- Smaller parking areas are scattered throughout the development and not located in one area on the site.
- Maximum of two stories proposed for the homes.

Housing Phoenix Plan

The proposal is also consistent with the Housing Phoenix Plan adopted in 2020. The plan identifies that the City of Phoenix has a significant housing shortage and establishes the goal of creating or preserving 50,000 homes by 2030. This residential proposal provides a step in the right direction to provide new housing units and varying housing options in the City of Phoenix.

Stipulation Modification

To allow the proposed development of the Property, we propose the following deletions/modification to the original rezoning stipulations:

1. That development shall be in general conformance with the site plan date stamped ~~October 23 2008~~ **X, 2021**, as modified by the following stipulations and approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT**.
2. That the development shall be in general conformance with the elevations date stamped ~~October 23, 2008~~ **X, 2021**, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT**.
3. That enhanced paving material(s) such as brick stone exposed aggregate stamped concrete or similar surface material (not asphalt) shall be used at entrances to the site intersections internal to the site and at pedestrian crossings, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT**.
4. That all pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT**.
5. ~~That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705 of the Zoning Ordinance in specific regard to the below items. The sign plan shall be presented and reviewed by the Laveen Village Planning Committee prior to the Zoning Adjustment hearing for consideration of their comments.~~

- a. ~~Ground signs limited to monument style not to exceed 6 feet in height.~~
 - b. ~~Design and lighting that will minimize impact on the single-family parcels to the east of the subject site~~
 - c. ~~Signage shall utilize designs that are low glare and utilize rural design elements that are consistent with the submitted elevations dated October 23, 2008.~~
6. That the development shall be in general conformance with the conceptual landscaping plan date stamped ~~October 23, 2008~~ **X, 2021** with specific regard to enhanced landscaping shown along 67th Avenue, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT.**
7. That the western perimeter wall shall be a minimum 8-feet high and shall include material and textural differences with a decorative element such as tile or painted block, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT.**
8. ~~That a pedestrian walkway utilizing decorative paving materials shall be provided at the corner of Baseline Road and 67th Avenue. The walkway shall be at grade level with the sidewalk within the right of way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle, as approved by the Development Services Department.~~

TRANSIT

9. That right-of-way shall be dedicated and a bus bay (detail P1256 1) and transit pad (Detail P1261) constructed along 67th Avenue, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT.**

ARCHAEOLOGY

10. That the developer shall conduct archaeological monitoring and/or testing by a qualified archaeologist within all areas of the development prior to cleaning and grubbing landscape salvage and/or grading as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.

STREETS

11. That right-of-way totaling 60 feet shall be dedicated for the north half of Baseline Road, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT.**
12. That 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 ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT**. All improvements shall comply with all ADA accessibility standards.

13. That full service access points to the development shall be limited to 660-foot spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved but will be restricted to right-in and right-out, as approved by the ~~Development Services Department~~ **PLANNING AND DEVELOPMENT DEPARTMENT**.
14. That public multi use trails shall be constructed within an easement(s) per the Standard Trail Detail (30 foot easement and 10-foot trail) in accordance with the MAG supplemental detail along 67th Avenue and Baseline Roads as approved by the Parks and Recreation Department. The applicant shall try to connect the trail across the well site north of the subject site along 67th Avenue. This connection will not be enforced if the well owner does not agree to the trail.
- ~~15. That the final elevations for PAD-1 (at the southeast corner of the parcel) including the drive-thru canopy shall be presented to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department.~~
16. That the applicant shall notify the following individuals 15 days prior to any of the following events preliminary site plan review meeting Zoning Adjustment hearing or Planning Hearing Officer hearing.
 - a. Steven Klem - 6820 South 66th Avenue Laveen, AZ 85339
 - b. Phil Hertel - 2300 West Broadway Road Phoenix AZ 85041
 - c. Jon Kimoto - 3216 West Ansell Road Laveen, AZ 85339
 - d. Stephanie Scovell - 7416 South 45th Avenue Laveen AZ 85339
17. That any request to modify or delete stipulations shall be reviewed and commented on by the Laveen Village Planning Committee prior to the Planning Hearing Officer Hearing.

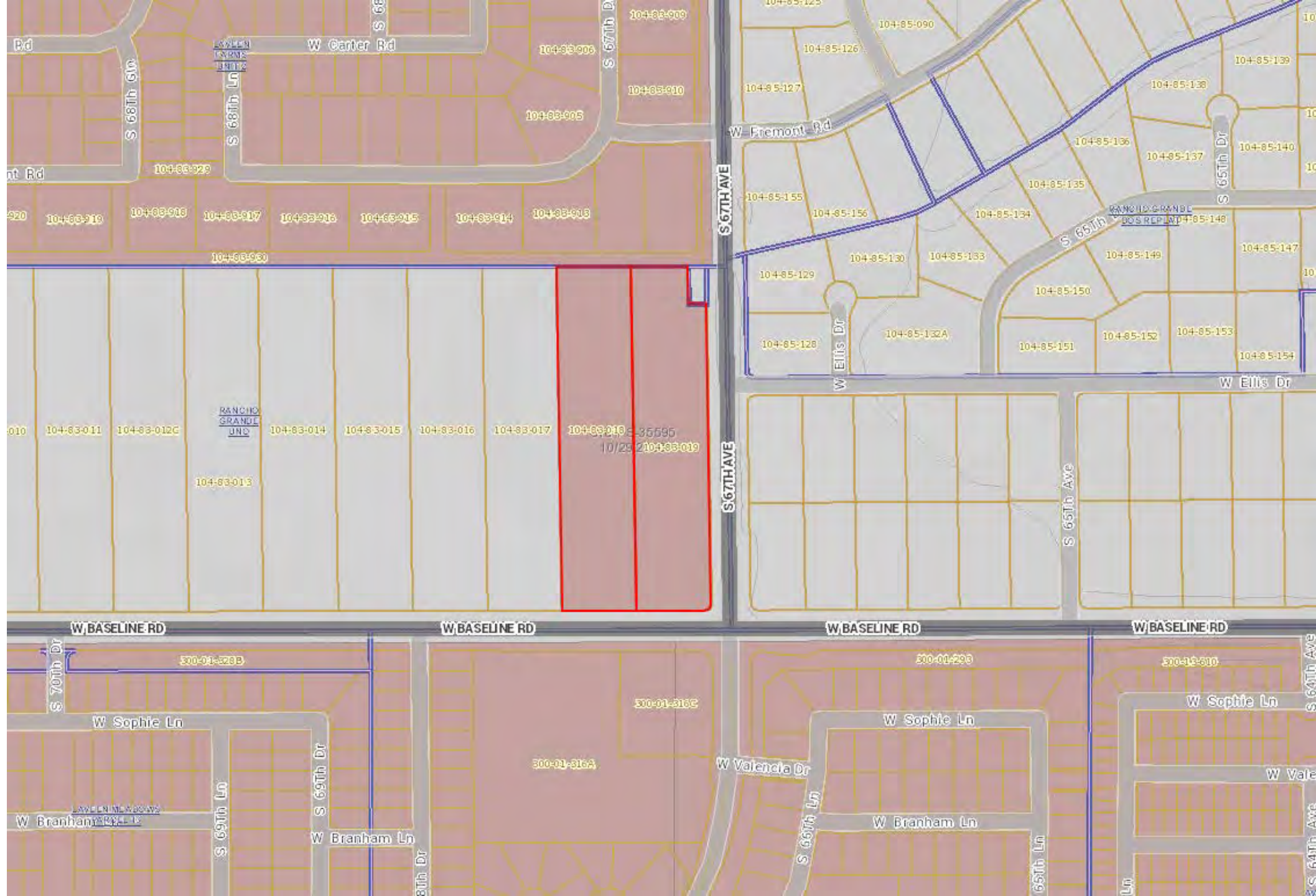
Conclusion

Approval of the requested stipulation modifications will allow the applicant to construct a high-quality townhouse development on a site that has been underutilized. The result is a residential development that will complement its surroundings and will provide additional housing options in Laveen.

Please feel free to contact me if you have any questions, or if you need any additional information. Thank you.

Sincerely yours,
WITHEY MORRIS, P.L.C.

TAB 1





TAB 2

R1-8*
Z-33-00

RE-35*
Z-38-00

MARICOPA COUNTY
RU-43

MARICOPA COUNTY
RU-43

C-2*
Z-52-08

R1-10 PRD PCD*
Z-115-99
ANX 175

PCD*
Z-115-99

R1-6 PCD*
Z-115-99
ANX 175

R-2 PRD PCD*
Z-115-99
ANX 175

TAB 3



City of Phoenix
PLANNING DEPARTMENT

December 12, 2008

Tiffany & Bosco
Dustin Jones
2525 East Camelback Rd
Phoenix AZ 85016

Dear Applicant

RE **Z-52-08-7** - Northwest corner of 67th Avenue and Baseline Road

Please be advised that the Phoenix City Council in accordance with the provisions of Section 506 of the Zoning Ordinance as amended has on December 3 2008 approved Zoning Ordinance # G 5293

Development and use of the site is subject to compliance with all applicable codes and ordinances

Sincerely

Alan Stephenson
Principal Planner

cc File
LEAP Properties Brad Lefebvre 1565 West Havasu Court Chandler AZ 85248
Sent electronically Annie Alvarado/NSD David Barrier/DSD Frank Dancil/DSD Jay
Neville/PLN Kelly P Walker/PLN Lilia Olivarez/PLN Mark Melnychenko/PTD Michael
Cook/PFD Steve Reid/PLN Shawn Pierce/NSD Teresa Hillner/DSD Wathsna Sayasane/PLN

Attach Signed Zoning Ordinance

ORDINANCE G-5293

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX ARIZONA PART II CHAPTER 41 THE ZONING ORDINANCE OF THE CITY OF PHOENIX BY AMENDING SECTION 601 THE ZONING MAP OF THE CITY OF PHOENIX CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-52-08-7) FROM S-1 (RANCH OR FARM RESIDENCE) TO C-2 (INTERMEDIATE COMMERCIAL)

WHEREAS on May 22 2008 the City of Phoenix Planning Department received in compliance with the requirements of the City of Phoenix Zoning Ordinance Section 506 a written request for rezoning from Dustin Jones with Tiffany & Bosco having authorization to represent the owner Brad Lefebvre with LEAP Properties of an approximately 10.92 acre property located at the northwest corner of 67th Avenue and Baseline Road in a portion of Section 36 Township 1 North Range 1 East as described more specifically in Attachment A' attached hereto and incorporated herein by this reference and

WHEREAS pursuant to A.R.S. § 9-462.04 the Planning Commission held a public hearing on November 12 2008 and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions as modified, and

WHEREAS the City Council at their regularly scheduled meeting held on December 3 2008 has determined that in accordance with A R S § 9-462 01 F this rezoning request with the appropriate site specific requirements provided in Section 2 is consistent with and conforms to the General Plan will conserve and promote the public health safety and general welfare and should be approved, subject to the conditions herein

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX as follows

SECTION 1 The zoning of an approximately 10.92 acre property located at the northwest corner of 67th Avenue and Baseline Road in a portion of Section 36 Township 1 North Range 1 East as described more specifically in Attachment A is hereby changed from S-1 (Ranch or Farm Residence) to "C-2 (Intermediate Commercial) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B"

SECTION 2 The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-52-08-7 on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant this rezoning is subject to the following stipulations violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance

- 1 That development shall be in general conformance with the site plan dated stamped October 23 2008 as modified by the following stipulations and approved by the Development Services Department

- 2 That the development shall be in general conformance with the elevations date stamped October 23 2008 with specific regard to consistent architectural details such as stone on all four sides of the buildings as approved by the Development Services Department
- 3 That enhanced paving material(s) such as brick stone exposed aggregate stamped concrete or similar surface material (not asphalt) shall be used at entrances to the site intersections internal to the site and at pedestrian crossings as approved by the Development Services Department
- 4 That all pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the Development Services Department
- 5 That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705 of the Zoning Ordinance in specific regard to the below items The sign plan shall be presented and reviewed by the Laveen Village Planning Committee prior to the Zoning Adjustment hearing for consideration of their comments
 - a Ground signs limited to monument style not to exceed 6-feet in height
 - b Design and lighting that will minimize impact on the single-family parcels to the east of the subject site
 - c Signage shall utilize designs that are low glare and utilize rural design elements that are consistent with the submitted elevations dated October 23 2008
- 6 That the development shall be in general conformance with the conceptual landscaping plan date stamped October 23 2008 with specific regard to enhanced landscaping shown along 67th Avenue as approved by the Development Services Department
- 7 That the western perimeter wall shall be a minimum 8-feet high and shall include material and textural differences with a decorative element such as tile or painted block as approved by the Development Services Department
- 8 That a pedestrian walkway utilizing decorative paving materials shall be provided at the corner of Baseline Road and 67th Avenue

The walkway shall be at grade level with the sidewalk within the right-of-way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle as approved by the Development Services Department.

TRANSIT

- 9 That right-of-way shall be dedicated and a bus bay (detail P1256 1) and transit pad (Detail P1261) constructed along 67th Avenue as approved by the Development Services Department.

ARCHAEOLOGY

- 10 That the developer shall conduct archaeological monitoring and/or testing by a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage and/or grading as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.

STREETS

- 11 That right-of-way totaling 60 feet shall be dedicated for the north half of Baseline Road as approved by the Development Services Department.
- 12 That 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 Development Services Department. All improvements shall comply with all ADA accessibility standards.
- 13 That full service access points to the development shall be limited to 660-foot spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved but will be restricted to right-in and right-out as approved by the Development Services Department.
- 14 That public multi use trails shall be constructed within an easement(s) per the Standard Trail Detail (30 foot easement and 10-foot trail) in accordance with the MAG supplemental detail along 67th Avenue and Baseline Roads as approved by the Parks and Recreation Department. The applicant shall try to connect the trail across the well site north of the subject site along 67th Avenue.

This connection will not be enforced if the well owner does not agree to the trail

- 15 That the final elevations for PAD-1 (at the southeast corner of the parcel) including the drive-thru canopy shall be presented to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department
- 16 That the applicant shall notify the following individuals 15 days prior to any of the following events preliminary site plan review meeting Zoning Adjustment hearing or Planning Hearing Officer hearing
 - a Steven Klein – 6820 South 66th Avenue Laveen, AZ 85339
 - b Phil Hertel – 2300 West Broadway Road Phoenix AZ 85041
 - c Jon Kimoto – 3216 West Ansell Road Laveen, AZ 85339
 - d Stephanie Scovell – 7416 South 45th Avenue Laveen AZ 85339
- 17 That any request to modify or delete stipulations shall be reviewed and commented on by the Laveen Village Planning Committee prior to the Planning Hearing Officer Hearing

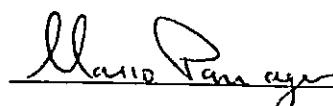
SECTION 3 If any section subsection sentence clause phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof

PASSED by the Council of the City of Phoenix this 3rd day of December
2008



MAYOR

ATTEST



City Clerk

APPROVED AS TO FORM

William Boes Acting City Attorney *MLW*

REVIEWED BY

R. Naiman **ACTING**
City Manager

MLW efl 776277 (CM73)(Item10) 12/03/08

Attachments

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

ATTACHMENT A

LEGAL DESCRIPTION FOR Z-52-08-7

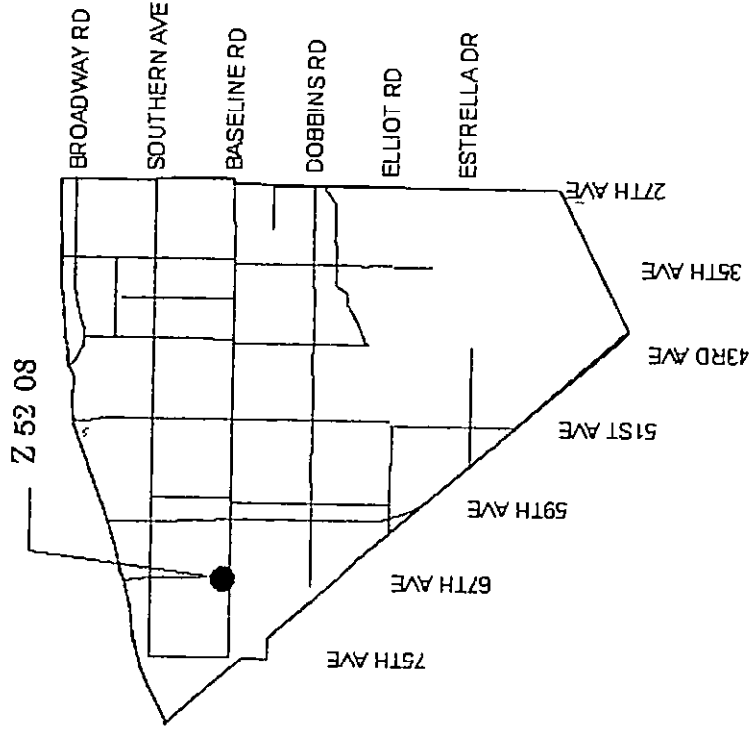
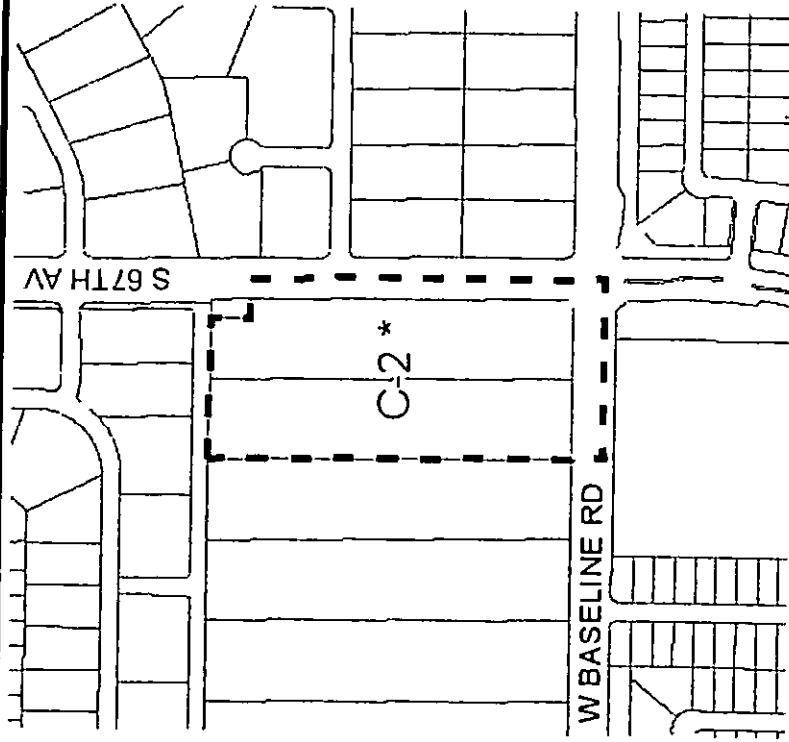
LOTS ELEVEN (11) AND TWELVE (12) RANCHO GRANDE UNO ACCORDING TO
THE PLATT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF
MARICOPA COUNTY ARIZONA IN BOOK 144 OF MAPS PAGE 12

ORDINANCE LOCATION MAP

ATTACHMENT B

Zoning Case Number Z 52 08 7
Zoning Overlay N/A
Planning Village Laveen

ZONING SUBJECT TO STIPULATIONS *
SUBJECT AREA - - - - -



NOT TO SCALE



City of Phoenix
PLANNING DEPARTMENT



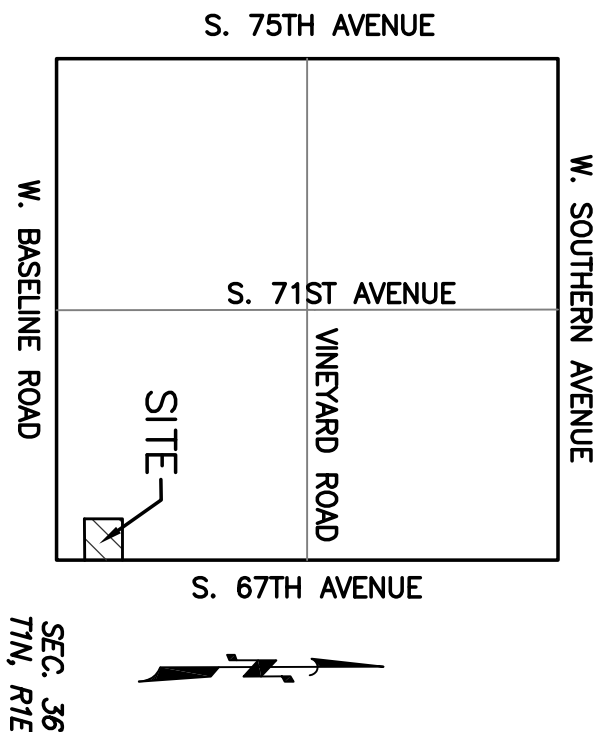
Drawn Date 11/14/08

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TAB 4

**PRELIMINARY SITE PLAN
FOR
VILLAS AT 67TH
A PORTION OF SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH,
RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF PHOENIX, ARIZONA**

PRELIMINARY SITE PLAN FOR



VICINITY MAP

APPLICANT

N.T.S

ENGINEER

BFH GROUP
3707 EAST SOUTHERN AVENUE
SURPRISE, ARIZONA, 85206
PHONE: 480-734-1446
CONTACT: DAVID M. BOHN

SITE SUMMARY

GROSS SITE AREA:	476,872 S.F.	(10.95 ACRES)
NET SITE AREA:	403,215 S.F.	(9.26 ACRES)
EXISTING ZONING:	C-2	

PROPOSED NO. UNITS:	155
ALLOWABLE DENSITY:	14.50 (R-3)
PROPOSED DENSITY:	= 155 DU / 10.95 AC

ALLOWABLE LOT COVERAGE:
PROPOSED BLDG COVERAGE:

REQUIRED OPEN SPACE: :
PROPOSED OPEN SPACE: :

PARKING REQUIRED: 2 SPACES PER 3 BEDROOM UNIT
740 TOTAL

PARKING PROVIDED: 2 GARAGE STALLSx155+157 GUESTS = 310 TOTAL

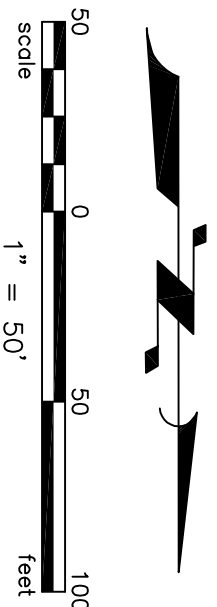
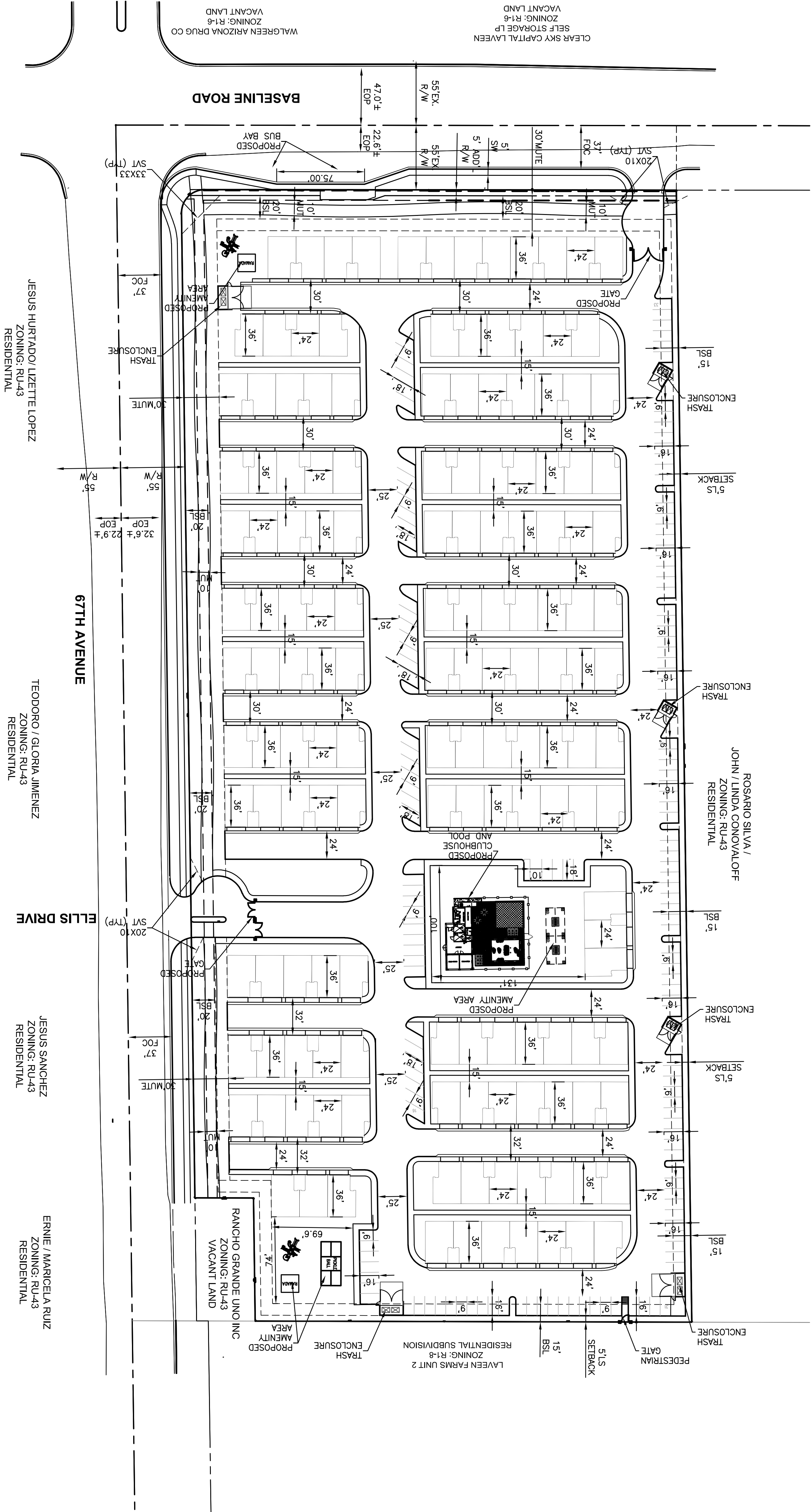
PROJECT DESCRIPTION

**A PROPOSED MULTI FAMILY RESIDENTIAL DEVELOPMENT
CONSISTING OF 155 TOWNHOME UNITS.**

TOTAL GROSS ACREAGE = 10.95 AC
TOTAL NET ACREAGE = 9.26 AC

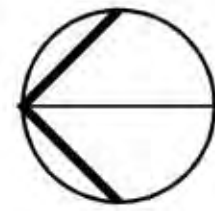
SERVICE PROVIDERS

WATER	CITY OF PHOENIX
SEWER	CITY OF PHOENIX
POLICE	CITY OF PHOENIX
FIRE	CITY OF PHOENIX
ELECTRIC	SALT RIVER PROJECT



NOT APPROVED FOR CONSTRUCTION

1 OF 1	SHEET NO. 1	Prelim Site Plan	JOB NO. 000202010220		 <p>CALL TWO WORKING DAYS BEFORE YOU DIG (602) 263-1100 1-800-STAKE-IT (OUTSIDE MARICOPA COUNTY)</p>	Drawn By: PJ Checked: JB	(JOB No.: -) CONCEPTUAL SITE PLAN PROJECT: VILLAS AT 67TH LAVERN VILLAGE, CITY OF PHOENIX, AZ 85041	REVISIONS: 	 <p>3707 EAST SOUTHERN AVENUE MESA, ARIZONA, 85206 PHONE: 480.734.1446</p>
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NOT APPROVED FOR CONSTRUCTION

JOB NO.
21005

PRELIMINARY
LANDSCAPE PLAN

SHEET NO.
L1
1 OF 2

CALL TWO WORKING DAYS
BEFORE YOU OR
(602) 283-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

Job No.
Drawn By
Checked

21
P
DB

PROJECT:
VILLAS AT 67TH
LAVEN VILLAGE, CITY OF PHOENIX, AZ 85041

REVISIONS:

NO.	DESCRIPTION

BFHgroup
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

TAB 5





ORDINANCE G-5293

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-52-08-7) FROM S-1 (RANCH OR FARM RESIDENCE) TO C-2 (INTERMEDIATE COMMERCIAL).

WHEREAS, on May 22, 2008, the City of Phoenix Planning Department received, in compliance with the requirements of the City of Phoenix Zoning Ordinance, Section 506, a written request for rezoning from Dustin Jones with Tiffany & Bosco, having authorization to represent the owner, Brad Lefebvre with LEAP Properties of an approximately 10.92 acre property located at the northwest corner of 67th Avenue and Baseline Road in a portion of Section 36, Township 1 North, Range 1 East, as described more specifically in Attachment "A", attached hereto and incorporated herein by this reference; and,

WHEREAS, pursuant to A.R.S. § 9-462.04, the Planning Commission, held a public hearing on November 12, 2008, and at this hearing recommended that the City Council approve this rezoning request with the recommended staff conditions, as modified; and,

WHEREAS, the City Council, at their regularly scheduled meeting held on December 3, 2008, has determined that, in accordance with A.R.S. § 9-462.01.F, this rezoning request, with the appropriate site specific requirements provided in Section 2, is consistent with and conforms to the General Plan, will conserve and promote the public health, safety and general welfare, and should be approved, subject to the conditions herein.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1: The zoning of an approximately 10.92 acre property located at the northwest corner of 67th Avenue and Baseline Road in a portion of Section 36, Township 1 North, Range 1 East, as described more specifically in Attachment "A", is hereby changed from "S-1" (Ranch or Farm Residence) to "C-2" (Intermediate Commercial) and that the Planning Director is instructed to modify The Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Attachment "B".

SECTION 2: The specific nature of the subject property and of the rezoning request is more particularly described in case file Z-52-08-7, on file with the Planning Department. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. That development shall be in general conformance with the site plan date stamped October 23, 2008, as modified by the following stipulations, and approved by the Development Services Department.

2. That the development shall be in general conformance with the elevations date stamped October 23, 2008, with specific regard to consistent architectural details, such as stone on all four sides of the buildings, as approved by the Development Services Department.
3. That enhanced paving material(s) such as brick, stone, exposed aggregate, stamped concrete or similar surface material (not asphalt) shall be used at entrances to the site, intersections internal to the site, and at pedestrian crossings as approved by the Development Services Department.
4. That all pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the Development Services Department.
5. That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705 of the Zoning Ordinance in specific regard to the below items. The sign plan shall be presented and reviewed by the Laveen Village Planning Committee prior to the Zoning Adjustment hearing for consideration of their comments.
 - a. Ground signs limited to monument style not to exceed 6-feet in height;
 - b. Design and lighting that will minimize impact on the single-family parcels to the east of the subject site;
 - c. Signage shall utilize designs that are low glare and utilize rural design elements that are consistent with the submitted elevations dated October 23, 2008.
6. That the development shall be in general conformance with the conceptual landscaping plan date stamped October 23, 2008, with specific regard to enhanced landscaping shown along 67th Avenue, as approved by the Development Services Department.
7. That the western perimeter wall shall be a minimum 8-feet high and shall include material and textural differences with a decorative element, such as tile or painted block, as approved by the Development Services Department.
8. That a pedestrian walkway utilizing decorative paving materials shall be provided at the corner of Baseline Road and 67th Avenue.

The walkway shall be at grade level with the sidewalk within the right-of-way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle, as approved by the Development Services Department.

TRANSIT

9. That right-of-way shall be dedicated and a bus bay (detail P1256-1) and transit pad (Detail P1261) constructed along 67th Avenue, as approved by the Development Services Department.

ARCHAEOLOGY

10. That the developer shall conduct archaeological monitoring and/or testing by a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.

STREETS

11. That right-of-way totaling 60 feet shall be dedicated for the north half of Baseline Road, as approved by the Development Services Department.
12. That 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 Development Services Department. All improvements shall comply with all ADA accessibility standards.
13. That full service access points to the development shall be limited to 660-foot spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved, but will be restricted to right-in and right-out, as approved by the Development Services Department.
14. That public multi-use trails shall be constructed within an easement(s) per the Standard Trail Detail (30-foot easement and 10-foot trail) in accordance with the MAG supplemental detail along 67th Avenue and Baseline Roads as approved by the Parks and Recreation Department. The applicant shall try to connect the trail across the well site north of the subject site along 67th Avenue.

This connection will not be enforced if the well owner does not agree to the trail.

15. That the final elevations for PAD-1 (at the southeast corner of the parcel) including the drive-thru canopy shall be presented to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department.
16. That the applicant shall notify the following individuals 15 days prior to any of the following events, preliminary site plan review meeting, Zoning Adjustment hearing or Planning Hearing Officer hearing.
 - a. Steven Klein – 6820 South 66th Avenue, Laveen, AZ 85339
 - b. Phil Hertel – 2300 West Broadway Road, Phoenix, AZ 85041
 - c. Jon Kimoto – 3216 West Ansell Road, Laveen, AZ 85339
 - d. Stephanie Scovell – 7416 South 45th Avenue, Laveen, AZ 85339
17. That any request to modify or delete stipulations shall be reviewed and commented on by the Laveen Village Planning Committee prior to the Planning Hearing Officer Hearing.

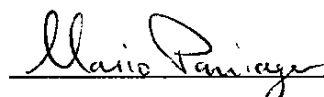
SECTION 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 3rd day of December, 2008.




MAYOR

ATTEST:


City Clerk

APPROVED AS TO FORM:

William Beck Acting City Attorney *MLW*

REVIEWED BY:

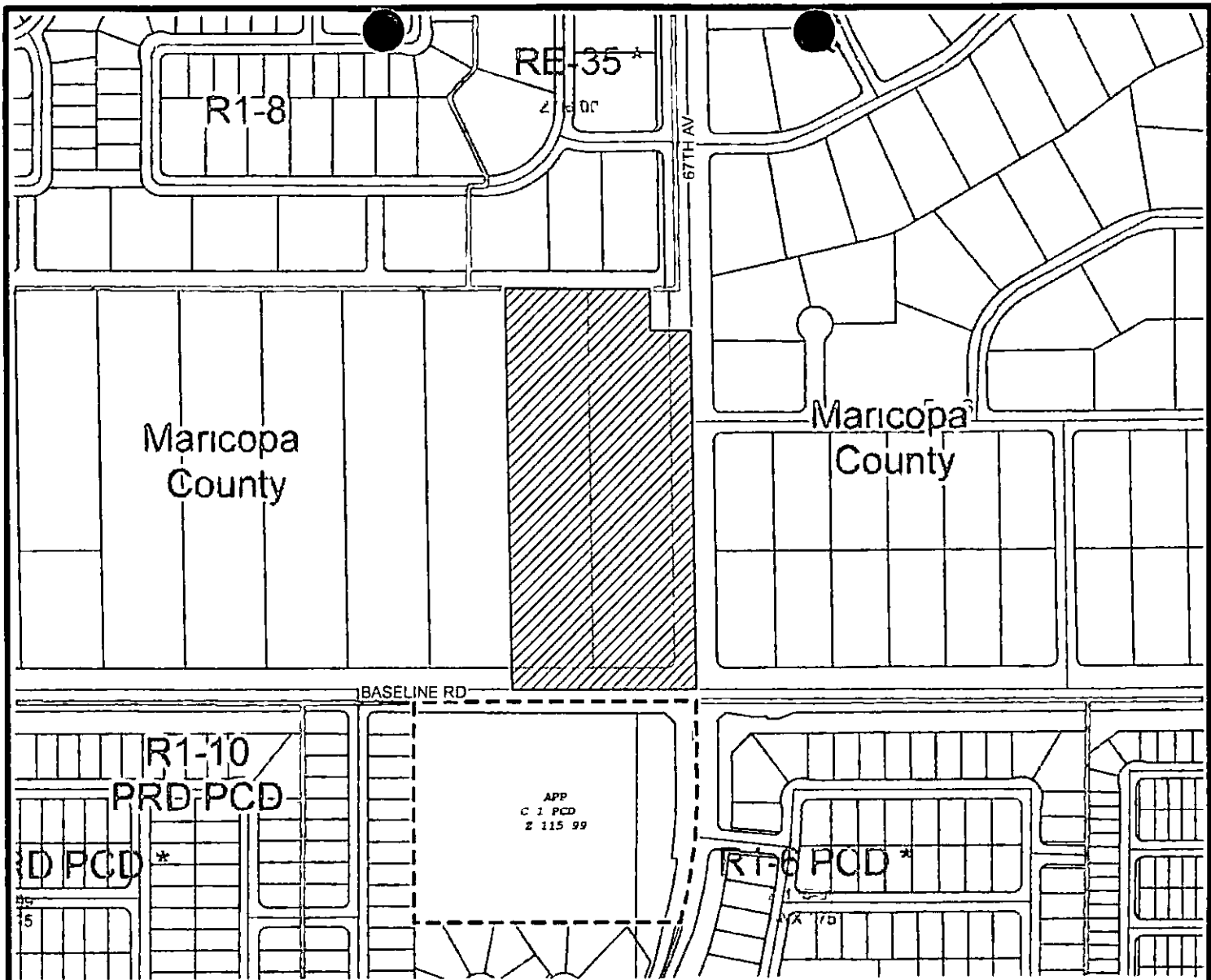
R. Naiman **ACTING**
City Manager

MLW:efl:776277: (CM73)(Item10) 12/03/08

Attachments:

A - Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

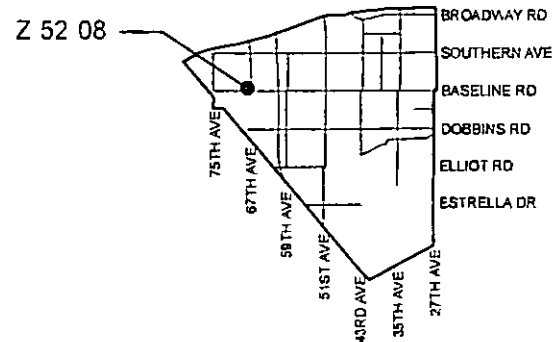


400 200 0 400 Feet

CITY OF PHOENIX PLANNING DEPARTMENT

LAVEEN VILLAGE

CITY COUNCIL DISTRICT 7



APPLICANT S NAME

Tiffany & Bosco - Dustin Jones

APPLICATION NO

Z-52-08

DATE

06-20-2008

REVISION DATES

GROSS AREA INCLUDING 1/2 STREET
AND ALLEY DEDICATION IS APPROX.

10 92 Acres

AERIAL PHOTO &
QUARTER SEC. NO

Q1-15

ZONING MAP

D5

REQUESTED CHANGE

FROM Rural 43 (Pending S 1) (10 92 a c)

TO C 2 (10 92 a c)

MULTIPLES PERMITTED

County Rural 43

C 2

CONVENTIONAL OPTION

N/A

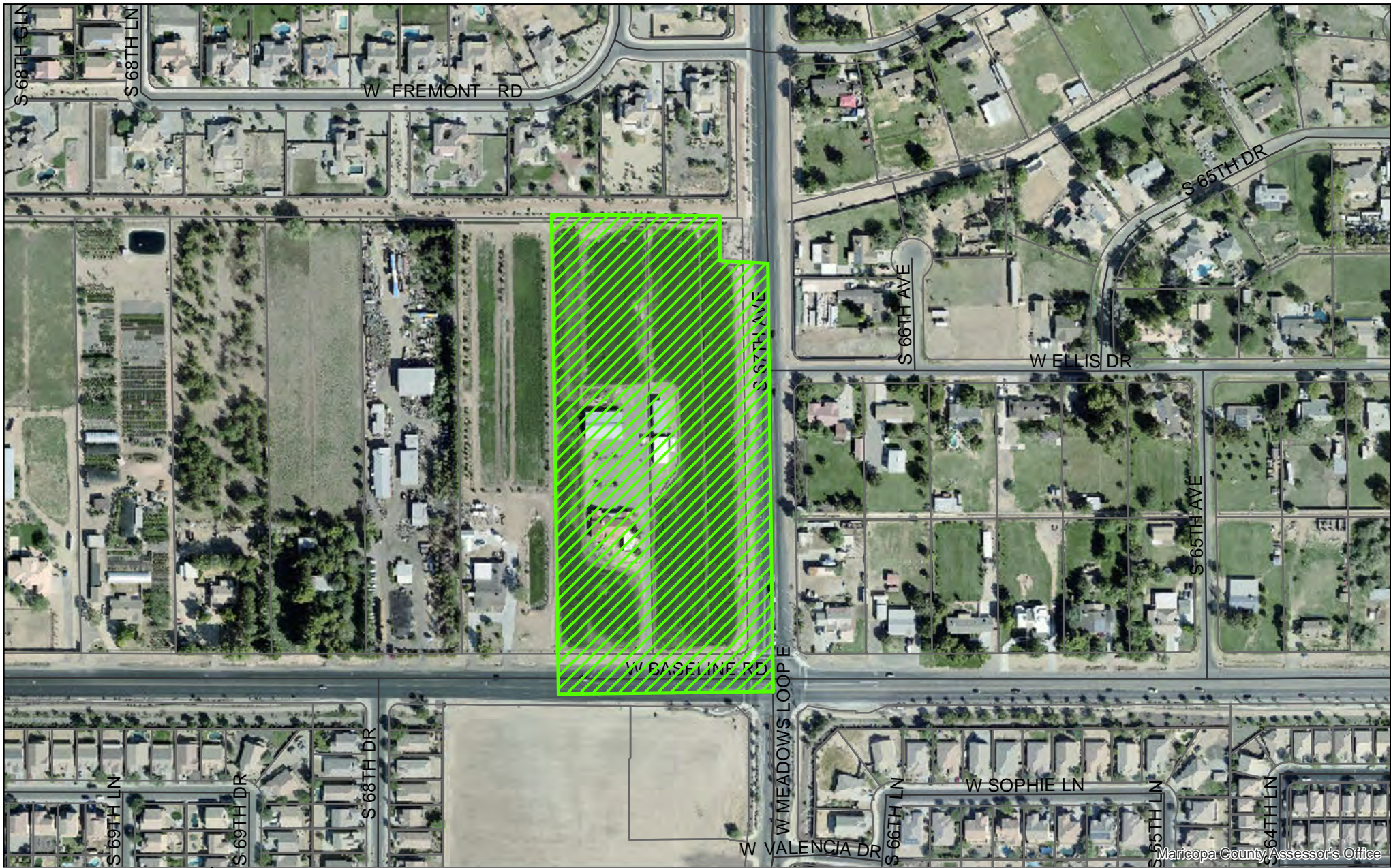
158

UNITS P R D OPTION

N/A

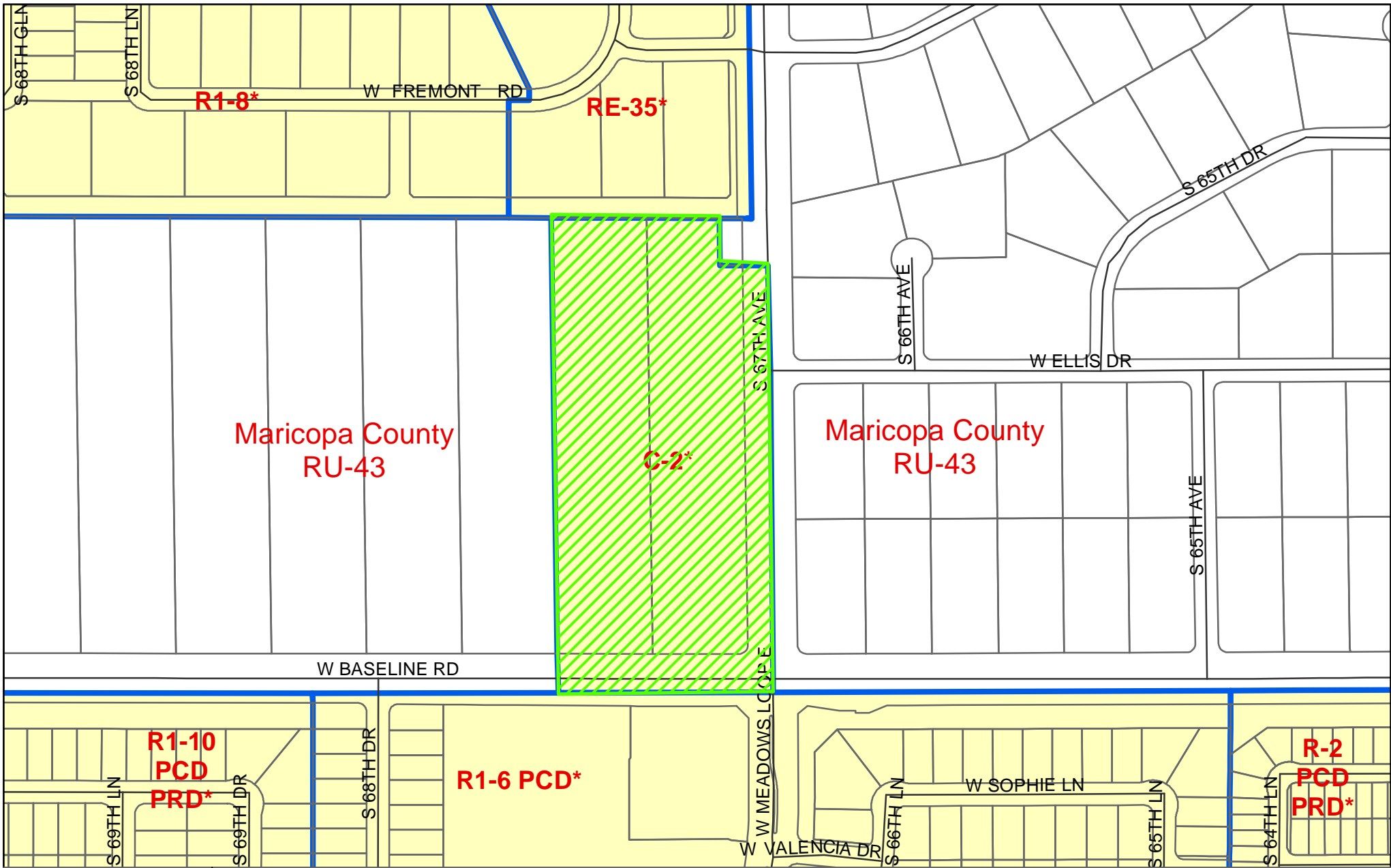
190

Maximum Units Allowed with P R D Bonus



PHO-1-21--Z-52-08-7

Property Location: Northwest corner of 67th Avenue and Baseline Road

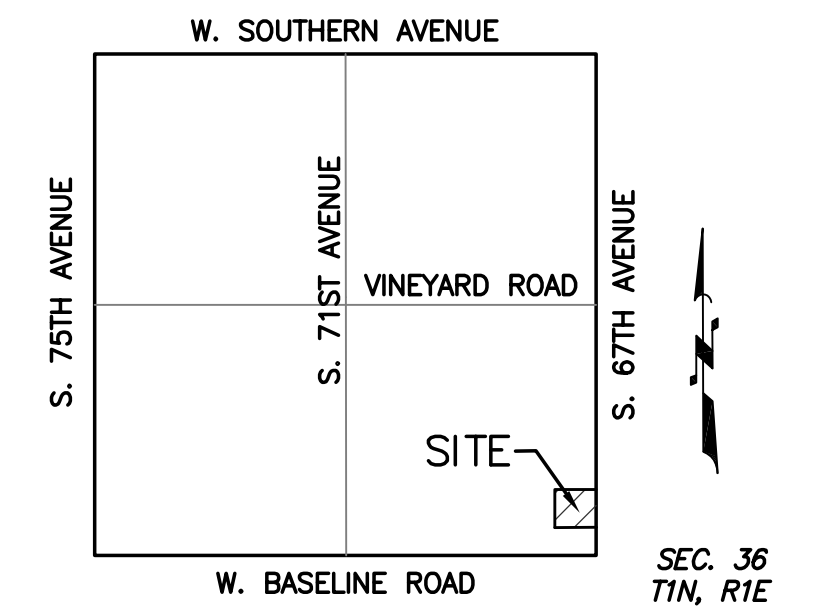


PHO-1-21--Z-52-08-7

Property Location: Northwest corner of 67th Avenue and Baseline Road

**A PORTION OF SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH,
RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF PHOENIX, ARIZONA**

LOTS 11 AND 12, RANCHO GRANDE UNO, ACCORDING TO BOOK 144 OF MAPS, PAGE 12,
RECORDS OF MARICOPA COUNTY, ARIZONA.



VICINITY MAP

FIG DEVELOPMENT
295 W. CENTER STREET
PROVO, UT 84601
PHONE: 801.372.2077
CONTACT: GARRETT SEELY

BFH GROUP
3707 EAST SOUTHERN AVENUE
SURPRISE, ARIZONA, 85206
PHONE: 480-734-1446
CONTACT: DAVID M. BOHN

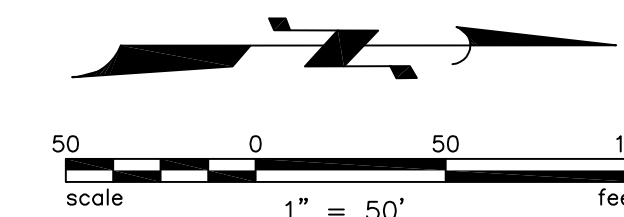
GROSS SITE AREA:	476,872 S.F.	(10.95 ACRES)
NET SITE AREA:	403,215 S.F.	(9.26 ACRES)
EXISTING ZONING:	C-2	
PROPOSED NO. UNITS:	155	
ALLOWABLE DENSITY:	14.50 (R-3)	
PROPOSED DENSITY:	= 155 DU / 10.95 AC	
	= 14.15 DU/AC	
ALLOWABLE LOT COVERAGE:	45%	
PROPOSED BLDG COVERAGE:	= 122,605 SF = 25.7%	
REQUIRED OPEN SPACE:	= 23,844 SF = 5%	
PROPOSED OPEN SPACE:	= 57,225 SF = 12.0%	
PARKING REQUIRED:	2 SPACES PER 3 BEDROOM UNIT	
	= 310 TOTAL	
PARKING PROVIDED:	2 GARAGE STALLSx155+157 GUEST	
	= 467 TOTAL STALLS	

A PROPOSED MULTI FAMILY RESIDENTIAL DEVELOPMENT
CONSISTING OF 155 TOWNHOME UNITS.

TOTAL GROSS ACREAGE = 10.95 AC
TOTAL NET ACREAGE = 9.26 AC

WATER	CITY OF PHOENIX
SEWER	CITY OF PHOENIX
POLICE	CITY OF PHOENIX
FIRE	CITY OF PHOENIX
ELECTRIC	SALT RIVER PROJECT

Planning & Development
Department



BFH Group
3707 EAST SOUTHERN AV
MESA, ARIZONA, 852
PHONE: 480.734.144

CONCEPTUAL SITE PLAN

LAVEEN VILLAGE, CITY OF PHOENIX, AZ 85041

1

Job No.:	-
Drawn By:	PJ
Checked:	DB

CALL TWO WORKING DAYS
BEFORE YOU DIG
(602) 263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

48533
DAVID M.
BOHN
Date Signed 05-24-21
ARIZONA U.S.A.
EXPIRES 05-24-2020

JOB NO.
00202010220

Prelim Site Plan

SHEET NO.
1

1 OF 1

NOT APPROVED FOR CONSTRUCTION



WOODS ASSOCIATES ARCHITECTS LLC
3319 E MCDOWELL RD MESA, ARIZONA
85213
(480) 962-7672

CITY OF PHOENIX

JUN 04 2021

Planning & Development
Department

Conceptual Elevations

67th Avenue and Baseline Road

FIG DEVELOPMENT

Hearing Date: August 18, 2021

PHO-1-21--Z-52-08



WOODS ASSOCIATES ARCHITECTS LLC
3319 E MCDOWELL RD MESA, ARIZONA
85213
(480) 962-7672

67th Avenue and Baseline Road

FIG DEVELOPMENT



CITY OF PHOENIX

JUN 04 2021

**Planning & Development
Department**

NOT APPROVED FOR CONSTRUCTION

CALL TWO WORKING DAYS
BEFORE YOU OR
(602) 263-1100
1-800-STAKE-IT
(OUTSIDE MARICOPA COUNTY)

Job No.
Drawn By
Checked

PROJECT:
VILLAS AT 67TH
LAVEN VILLAGE, CITY OF PHOENIX, AZ 85041

REVISIONS:

BFHgroup
3707 EAST SOUTHERN AVENUE
MESA, ARIZONA, 85206
PHONE: 480.734.1446

PROJECT DATA:

SITE AREA:
GROSS: 9.24 AC (402,692 SF)
NET: 7.79 AC (339,692 SF)
(LESS 63,000 SF DETENTION.)

OPEN SPACE: +/-125,000 SF (34% GR)
(MINIMUM REQUIRED 10%)

BUILDING AREA: 79,300 SF

F.A.R./COVERAGE: 20% (GR)
23% (NET)
(MAXIMUM ALLOWED 50%)

PRKG REQ: 318 STALLS
@1/250

PRKG PROV: 318 STALLS
90 9'-6" x 18'-0"
220 9'-6" x 16'-6"
8 H.C.

GENERAL NOTES:

ALL PROPOSED BUILDINGS TO BE SINGLE STORY.
PROPOSED PARAPET TO NOT EXCEED 30'-0"

ALL PROPOSED LANDSCAPING TO COMPLY WITH
CURRENT CITY STANDARDS.

NO LOT SALES ARE CURENLTLY PROPOSED

CURRENT ZONING: RURAL 43 (MARICOPA COUNTY)
PROPOSED ZONING: C2 (CITY OF PHOENIX)

VICINITY MAP:



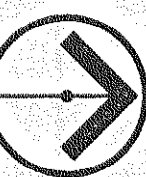
PROJECT SITE

0 40' 160'

20' 80'
scale: 1" = 40'-0"

CITY OF PHOENIX

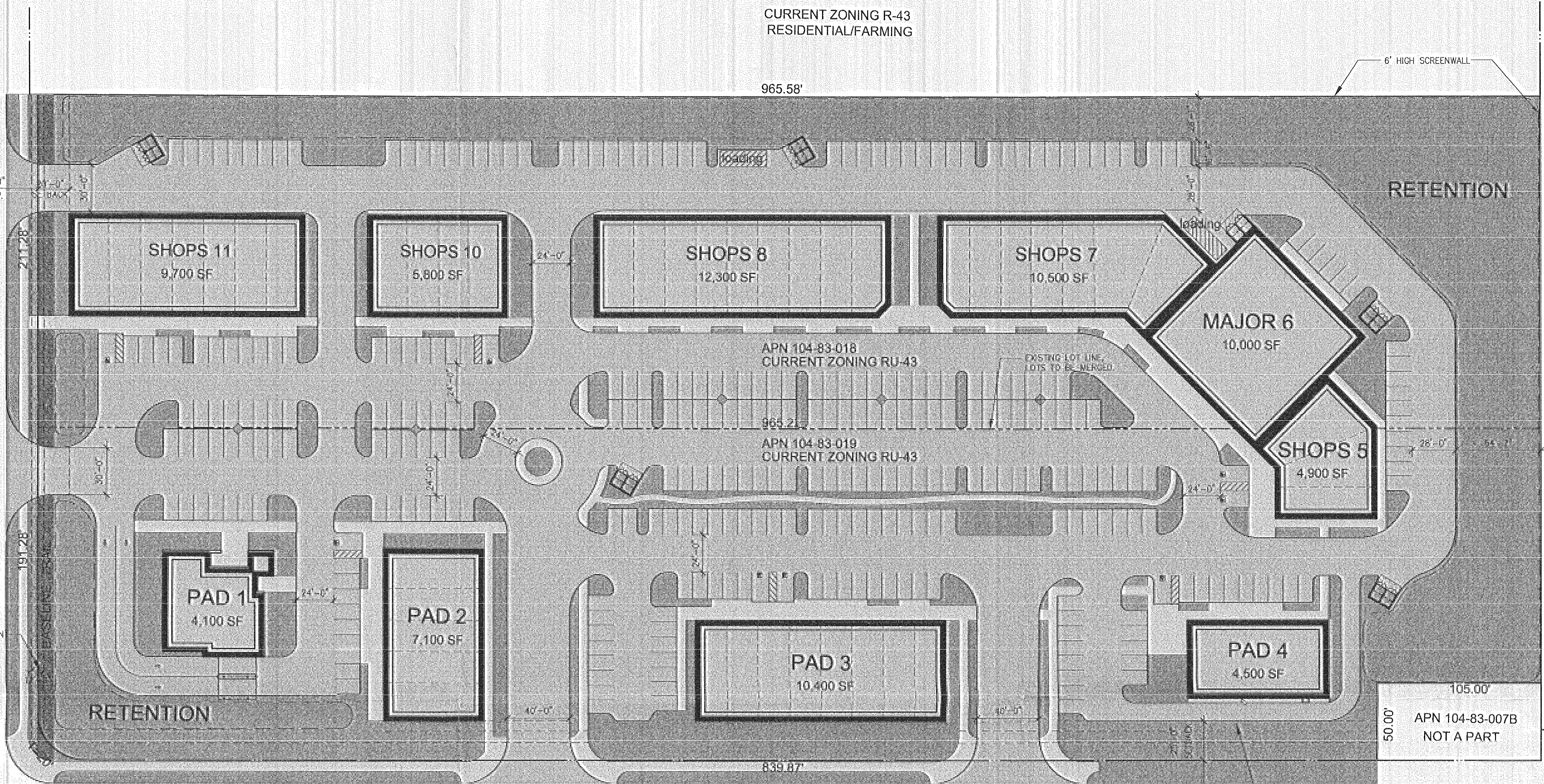
OCT 23 2008



north

Planning Dept.
2nd fl. Zoning

WARE MALCOMB
Leading Design for Commercial Real Estate
architecture waremalcomb.com
planning p. 602.275.2248
interiors f. 602.275.2462
graphics
site development



67TH AVENUE

APN 104-85-028

CURRENT ZONING R-43
RESIDENTIAL

APN 104-85-029

IS DR

NOTE:
THIS CONCEPTUAL DESIGN PLAN IS BASED UPON A PRELIMINARY REVIEW
OF ENTITLEMENT REQUIREMENTS AND ON UNVERIFIED AND POSSIBLY
INCOMPLETE SITE INFORMATION, AND IS INTENDED MERELY TO ASSIST
IN EXPLORING HOW THE SITE MIGHT BE DEVELOPED.

OWNER:

LEAP PROPERTIES
ATTN: BRAD LEFEBVRE
1565 W HAVASU COURT
CHANDLER, ARIZONA 85248

APPLICANT:

WARE MALCOMB
ATTN: NICOLE BIENKOWSKI
5009 EAST WASHINGTON STREET, SUITE 100
PHOENIX, ARIZONA 85034

**LEAP
PROPERTIES**

Trailside Marketplace
Maricopa County, Arizona

Conceptual Site Plan

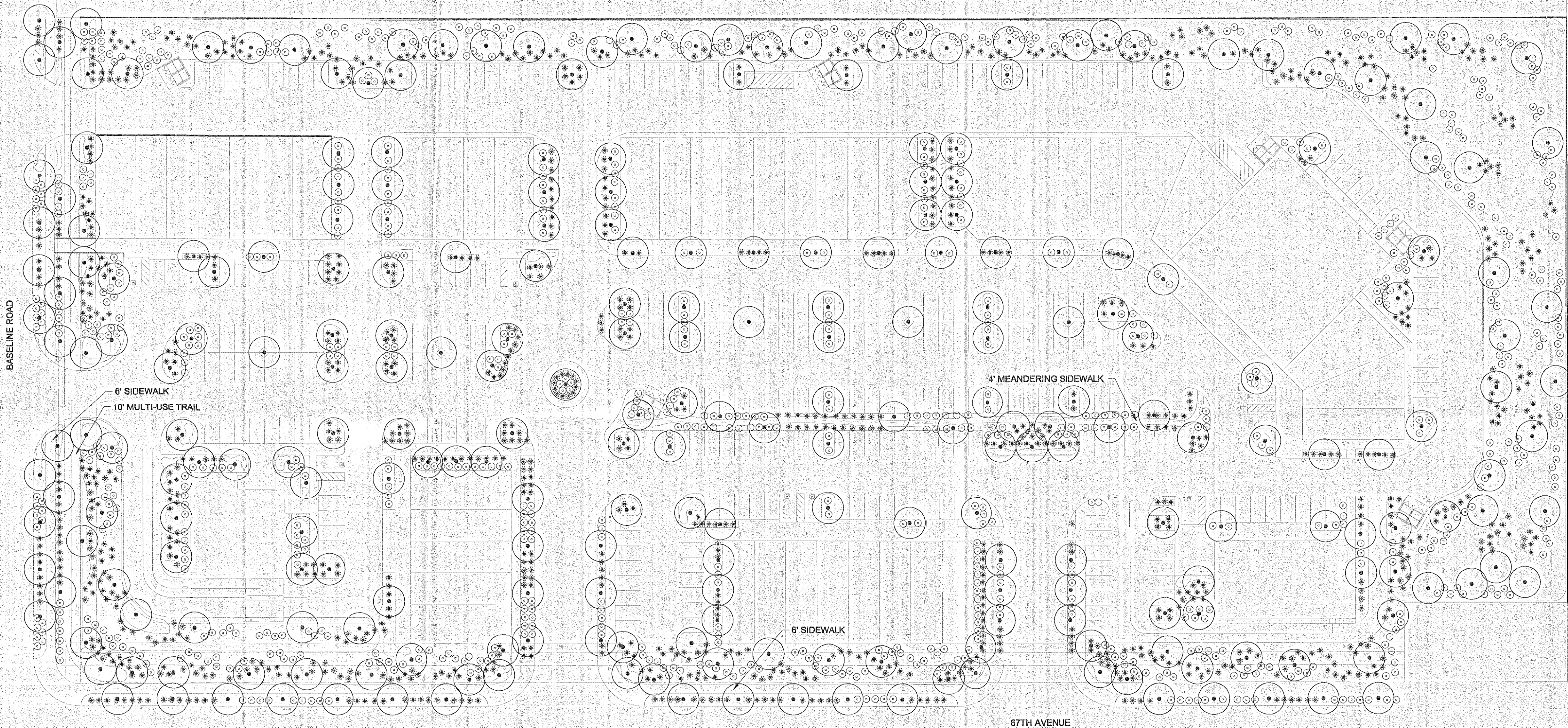
Scheme 14

PHX08-0001-00
10-23-2008

PHO-1-21--Z-52-08

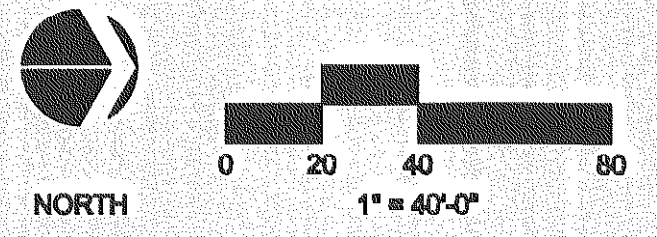
STIPULATED SITE PLAN

Hearing Date: August 18, 2021



LANDSCAPE MATERIAL SCHEDULE

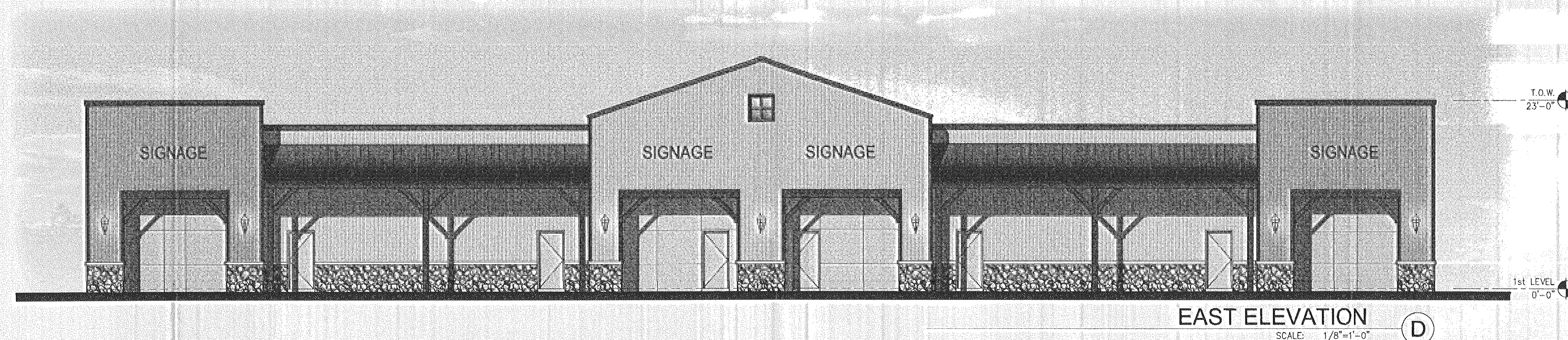
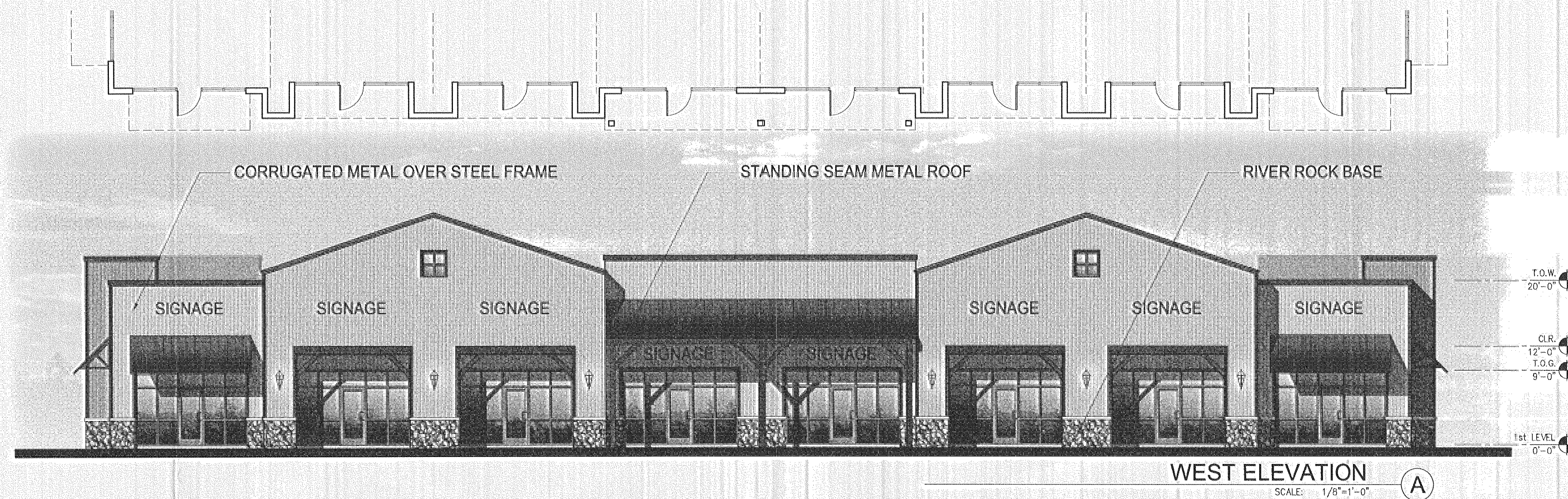
TREES	
Item	Size
<i>Olea europaea</i> European Olive	15 gal / 24" box
<i>Pinus edulis</i> 'Mondell' Mondell Pine	15 gal / 24" box
<i>Pistacia chinensis</i> Chinese Pistache	15 gal / 24" box
<i>Prosopis</i> 'Phoenix' Phoenix hybrid Mesquite	15 gal / 24" box
<i>Ulmus parvifolia</i> Chinese Evergreen Elm	15 gal / 24" box
<i>Quercus virginiana</i> Southern Live Oak	15 gal / 24" box
SHRUBS & ACCENTS	
Item	Size
<i>Bougainvillea</i> 'Torch Glow' Torch Glow Bougainvillea	5 gal.
<i>Cassia</i> <i>leucocarpa</i> Mexican Bird-of-Paradise	5 gal.
<i>Cassia</i> <i>leucocarpa</i> Mexican Bird-of-Paradise	5 gal.
<i>Red Bird-of-Paradise</i> <i>Red Bird-of-Paradise</i>	5 gal.
<i>Desfontainia</i> <i>leucophylla</i> Green Desert Spoon	5 gal.
<i>Hesperaloe parviflora</i> Red Yucca	5 gal.
<i>Leucophyllum frutescens</i> 'Green Cloud' Green Cloud Sage	5 gal.
<i>Leucophyllum laevigatum</i> Chihuahuan Sage	5 gal.
<i>Muhlenbergia capillaris</i> 'Regal Mist' Regal Mist	5 gal.
<i>Nerium oleander</i> Petite Pink Oleander	5 gal.
<i>Ruellia peruviana</i> Beja Ruellia	5 gal.
<i>Simmondsia chinensis</i> Jojoba	5 gal.
<i>Tecoma</i> 'Orange Jubilee' Orange Jubilee	5 gal.
GROUNDCOVERS	
Item	Size
<i>Baccharis pilularis</i> 'Thompson' Dwarf Coyote Bush	1 gal.
<i>Convolvulus canariensis</i> Bush Morning Glory	1 gal.
<i>Lantana</i> 'New Gold' New Gold Lantana	1 gal.
<i>Myoporum parviflorum</i> Myoporum	1 gal.
MISCELLANEOUS	
Item	Size
DG Decomposed Granite	3/4" Minus



CITY OF PHOENIX
OCT 23 2008
Planning Dept.
2nd fl. Zoning

TRAILSIDE MARKETPLACE

WARE MALCOMB PRELIMINARY LANDSCAPE PLAN - LAVEEN, AZ



NOTE:
THIS CONCEPTUAL DESIGN PLAN IS BASED UPON A PRELIMINARY REVIEW OF
ENTITLEMENT REQUIREMENTS AND ON UNVERIFIED AND POSSIBLY INCOMPLETE
SITE INFORMATION, AND IS INTENDED MERELY TO ASSIST
IN EXPLORING HOW THE SITE MIGHT BE DEVELOPED.

0 8' 32'
4' 16'
scale: 1/8" = 1'-0"

CITY OF PHOENIX
OCT 23 2008
Planning Dept.
2nd fl. Zoning

LEAP
PROPERTIES

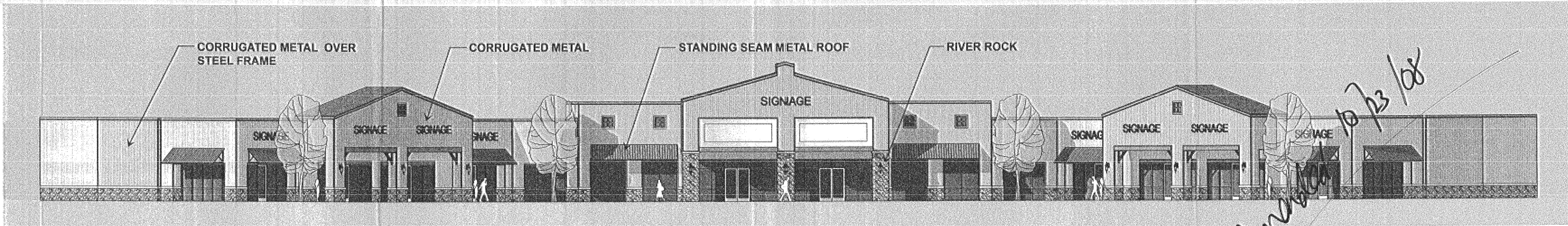
Trailside Marketplace
Maricopa County, Arizona

Conceptual Elevations

scheme: 1

PHX08-0001-00
10-14-08

WARE MALCOMB
Leading Design for Commercial Real Estate
integrated service
across north america | waremalcomb.com



Amelia
10/23/08

ENTRANCE ELEVATION
N.T.S.



CITY OF PHOENIX
OCT 23 2008
Planning Dept.
and Zoning

ENTRY PERSPECTIVE

**LEAP
PROPERTIES**

Trailside Marketplace
Maricopa County, Arizona

Conceptual Elevations

PHX08-0001-00
10-03-2008

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architecture
planning
interiors
graphics
site development
waremalcomb.com
p. 602.275.2248
f. 602.275.2462

December 3, 2008

- 38- 37. That street patterns and lot design shall allow direct access to washes or open space areas for maintenance of annual and non-native vegetation to prevent fire hazards and allow Fire Department access in case of fire. Points of access should be a maximum of 600 feet apart with openings a minimum of 35 feet wide to allow for fire breaks and access. Openings are to incorporate existing vegetation or be landscaped and shall maintain an access way 12 feet wide for Fire Department equipment. Openings may meander, but a line of sight shall be maintained into and through the access way. Align fire hydrants with access points.
- 39- 38. That an 80-foot average width open space buffer be provided along the west side of Parcels 25A and Parcel 25E (adjacent to Parcels 13, 26A, and 27).

Noting there were no speaker comment cards submitted, **MOTION** was made by Mr. Simplot, **SECONDED** by Mrs. Williams, that Item 8 be granted as recommended by the Planning Commission, subject to Stipulations 1-38 (as listed above).

Roll Call:	Ayes:	Baier, Nowakowski, Simplot, Stanton, Williams, and Mayor Gordon
	Nays:	None
	Absent:	Johnson, Mattox, and Vice Mayor Neely

MOTION CARRIED

PUBLIC HEARING AND ORDINANCE ADOPTION

<u>ITEM 10</u>	DISTRICT 7	ORDINANCE G-5293 - Z-52-08-7 - 67TH AVENUE AND BASELINE ROAD
-----------------------	-------------------	---

The Council heard request to hold a public hearing and approve the rezoning for the following item by adopting the Planning Commission's recommendation and the related ordinance.

Application:	Z-52-08-7 – Appealed by Staff
From:	Rural-43 (Pending S-1)
To:	C-2
Acreage:	10.92

December 3, 2008

Location: Northwest corner of 67th Avenue and Baseline Road
Proposal: Proposed Commercial/Retail Complex
Applicant: Dustin Jones – Tiffany & Bosco
Owner: Brad Lefebvre – LEAP Properties
Representative: Dustin Jones – Tiffany & Bosco
Staff: Approved, subject to stipulations.
VPC Action: Laveen – November 10, 2008 – Approved, subject to staff stipulations with additional stipulations. Vote 7-0
PC Action: November 12, 2008 – Approved per the Village Planning Committee recommendation, subject to modified stipulations. Vote 7-0

The following stipulations were subject to discussion at the meeting and the City Council could add, delete, or amend stipulations.

Stipulations

1. That development shall be in general conformance with the site plan date stamped October 23, 2008, as modified by the following stipulations, and approved by the Development Services Department.
2. That the development shall be in general conformance with the elevations date stamped October 23, 2008, with specific regard to consistent architectural details, such as stone on all four sides of the buildings, as approved by the Development Services Department.
3. That enhanced paving material(s) such as brick, stone, exposed aggregate, stamped concrete, or similar surface material (not asphalt) shall be used at entrances to the site, intersections internal to the site, and at pedestrian crossings, as approved by the Development Services Department.
4. That all pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the Development Services Department.

December 3, 2008

5. ~~THAT GROUND SIGNS SHALL BE MONUMENT STYLE AND SHALL NOT EXCEED 6 FEET IN HEIGHT AS APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT.~~ THAT A COMPREHENSIVE SIGN PLAN SHALL BE APPROVED FOR THE ENTIRE DEVELOPMENT IN ACCORDANCE WITH SECTION 705 OF THE ZONING ORDINANCE IN SPECIFIC REGARD TO THE BELOW ITEMS. THE SIGN PLAN SHALL BE PRESENTED AND REVIEWED BY THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO THE ZONING ADJUSTMENT HEARING FOR CONSIDERATION OF THEIR COMMENTS.
 - a. GROUND SIGNS LIMITED TO MONUMENT STYLE NOT TO EXCEED SIX FEET IN HEIGHT.
 - b. DESIGN AND LIGHTING THAT WILL MINIMIZE IMPACT ON THE SINGLE-FAMILY PARCELS TO THE EAST OF THE SUBJECT SITE.
 - c. SIGNAGE SHALL UTILIZE DESIGNS THAT ARE LOW GLARE AND UTILIZE RURAL DESIGN ELEMENTS THAT ARE CONSISTENT WITH THE SUBMITTED ELEVATIONS DATED OCTOBER 23, 2008.
6. That the development shall be in general conformance with the conceptual landscaping plan date stamped October 23, 2008, with specific regard to enhanced landscaping shown along 67th Avenue, as approved by the Development Services Department.
7. That the western perimeter wall shall be a minimum eight feet high and shall include material and textural differences with a decorative element, such as tile or painted block, as approved by the Development Services Department.
8. That a pedestrian walkway utilizing decorative paving materials shall be provided at the corner of Baseline Road and 67th Avenue. The walkway shall be at grade level with the sidewalk within the right-of-way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle, as approved by the Development Services Department.

December 3, 2008

Transit

9. That right-of-way shall be dedicated and a bus bay (Detail P1256-1) and transit pad (Detail P1261) constructed along 67th Avenue, as approved by the Development Services Department.

Archaeology

10. That the developer shall conduct archaeological monitoring and/or testing by a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.

Streets

11. That right-of-way totaling 60 feet shall be dedicated for the north half of Baseline Road, as approved by the Development Services Department.
12. That 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 Development Services Department. All improvements shall comply with all Americans with Disabilities Act accessibility standards.
13. That full service access points to the development shall be limited to 660-foot spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved, but will be restricted to right-in and right-out, as approved by the Development Services Department.
14. THAT PUBLIC MULTI-USE TRAILS SHALL BE CONSTRUCTED WITHIN AN EASEMENT(S) PER THE STANDARD TRAIL DETAIL (30-FOOT EASEMENT AND 10-FOOT TRAIL) IN ACCORDANCE WITH THE MARICOPA ASSOCIATION OF GOVERNMENTS SUPPLEMENTAL DETAIL ALONG 67TH AVENUE AND BASELINE ROADS, AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT. THE APPLICANT SHALL TRY TO CONNECT THE TRAIL ACROSS THE WELL SITE NORTH OF THE SUBJECT SITE ALONG 67TH AVENUE. THIS CONNECTION WILL NOT BE ENFORCED IF THE WELL OWNER DOES NOT AGREE TO THE TRAIL.

December 3, 2008

15. THAT THE FINAL ELEVATIONS FOR PAD-1 (AT THE SOUTHEAST CORNER OF THE PARCEL) INCLUDING THE DRIVE-THRU CANOPY SHALL BE PRESENTED TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO PRELIMINARY SITE PLAN APPROVAL BY THE DEVELOPMENT SERVICES DEPARTMENT.
16. THAT THE APPLICANT SHALL NOTIFY THE FOLLOWING INDIVIDUALS 15 DAYS PRIOR TO ANY OF THE FOLLOWING EVENTS, PRELIMINARY SITE PLAN REVIEW MEETING, ZONING ADJUSTMENT HEARING OR PLANNING HEARING OFFICER HEARING.
 - a. STEVEN KLEIN, 6820 SOUTH 66TH AVENUE, LAVEEN, ARIZONA 85339
 - b. PHIL HERTEL, 2300 WEST BROADWAY ROAD, PHOENIX, ARIZONA 85041
 - c. JON KIMOTO, 3216 WEST ANSELL ROAD, LAVEEN, ARIZONA 85339
 - d. STEPHANIE SCOVELL, 7416 SOUTH 45TH AVENUE, LAVEEN, ARIZONA 85339

Noting there were no speaker comment cards submitted, **MOTION** was made by Mr. Nowakowski, **SECONDED** by Mrs. Williams, that Item 10 be granted per the memo from Debra Stark dated December 3, 2008, which included Stipulations 1-16 (as listed above) and the addition of Stipulation 17 (noted below), and the related ordinance be adopted.

17. That any request to modify or delete stipulations shall be reviewed and commented on by the Laveen Village Planning Committee prior to the Planning Hearing Officer hearing.

Roll Call:	Ayes:	Baier, Nowakowski, Simplot, Stanton, Williams, and Mayor Gordon
	Nays:	None
	Absent:	Johnson, Mattox, and Vice Mayor Neely

MOTION CARRIED

Item #: 18
Application #: Z-52-08-7
From: Rural-43 (Pending S-1)
To: C-2
Acreage: 10.92
Location: Northwest corner of 67th Avenue and Baseline Road
Proposal: Proposed Commercial/Retail Complex
Applicant: Dustin Jones/Tiffany & Bosco
Owner: Brad Lefebvre/LEAP Properties
Representative: Dustin Jones/Tiffany & Bosco

Mr. Alan Stephenson presented Z-52-08-7, a rezoning request from Rural-43 (Pending S-1) to C-2 for 10.92 acres located on the northwest corner of 67th Avenue and Baseline Road. This request would allow for construction of a future shopping center. The Laveen Village Planning Committee voted to approve the request 7-0 subject to staff and modified stipulations. Staff recommends approval of the request subject to modified village planning committee stipulations that read as follows:

MODIFY STAFF STIPULATION 5 TO READ AS FOLLOWS:

5. That a comprehensive sign plan shall be approved for the entire development in accordance with Section 705 of the Zoning Ordinance in specific regard to the below items. The sign plan shall be presented and reviewed by the Laveen Village Planning Committee prior to the Zoning Adjustment hearing for consideration of the comments.
 - a. Ground signs limited to monument style not to exceed 6-feet in height;
 - b. Design and lighting that will minimize impact on the single-family parcels to the east of the subject site;
 - c. Signage shall utilize designs that are low glare and utilize rural design elements that are consistent with the submitted elevations date stamped October 23, 2008.

NEW STIPULATIONS TO ADDRESS VPC CONCERNS

14. That public multi-use trails shall be constructed within an easement(s) per the standard trail detail (30-foot easement and 10-foot trail) in accordance with the MAG supplemental detail along 67th Avenue and Baseline Road as approved by the Parks and Recreation Department. The applicant shall try to connect the trail across the well site north of the subject site along 67th Avenue. This connection will not be enforced if the well owner does not agree to the trail.
15. That the final elevations for PAD-1(at the southeast corner of the parcel) including the drive-thru canopy shall be presented to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department.

16. That the applicant shall notify the following individuals 15 days prior to any of the following events, Preliminary site plan review meeting, Zoning Adjustment hearing or Planning Hearing Officer hearing.
 - a. Steven Klein – 6820 South 66th Avenue, Laveen, AZ 85339
 - b. Phil Hertel – 2300 West Broadway Road, Phoenix, AZ 85041
 - c. Jon Kimoto – 3216 West Ansell Road, Laveen, AZ 85339
 - d. Stephanie Scovell – 7416 South 45th Avenue, Laveen, AZ 85339

Commissioner Gullett made a MOTION to move Z-52-08-7 to the consent agenda per the Laveen Village Planning Committee with modified stipulations as read into the record by staff.

Commissioner Ellis SECONDED.

There being no further discussion, Chairman Keuth called for a vote and the MOTION PASSED 7-0 (Gallegos and Awai absent).

Commissioner Gullett made a MOTION to approve Z-52-08-7 on consent.

Commissioner Ellis SECONDED.

There being no further discussion, Chairman Keuth called for a vote and the MOTION PASSED 7-0 (Gallegos and Awai absent).

* * * * *

Stipulations:

1. That development shall be in general conformance with the site plan date stamped October 23, 2008, as modified by the following stipulations, and approved by the Development Services Department.
2. That the development shall be in general conformance with the elevations date stamped October 23, 2008 with specific regard to consistent architectural details, such as stone on all four sides of the buildings, as approved by the Development Services Department.
3. That enhanced paving material(s) such as brick, stone, exposed aggregate, stamped concrete or similar surface material (not asphalt) shall be used at entrances to the site, intersections internal to the site, and at pedestrian crossings as approved by the Development Services Department.
4. That all pedestrian walkways shall be shaded and connect all commercial pads to each other and to the public right-of-way, as approved by the Development Services Department.

5. ~~THAT GROUND SIGNS SHALL BE MONUMENT STYLE AND SHALL NOT EXCEED 6- FEET IN HEIGHT AS APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT.~~

THAT A COMPREHENSIVE SIGN PLAN SHALL BE APPROVED FOR THE ENTIRE DEVELOPMENT IN ACCORDANCE WITH SECTION 705 OF THE ZONING ORDINANCE IN SPECIFIC REGARD TO THE BELOW ITEMS. THE SIGN PLAN SHALL BE PRESENTED AND REVIEWED BY THE LAVERN VILLAGE PLANNING COMMITTEE PRIOR TO THE ZONING ADJUSTMENT HEARING FOR CONSIDERATION OF THEIR COMMENTS.

D. GROUND SIGNS LIMITED TO MONUMENT STYLE NOT TO EXCEED 6- FEET IN HEIGHT;

E. DESIGN AND LIGHTING THAT WILL MINIMIZE IMPACT ON THE SINGLE-FAMILY PARCELS TO THE EAST OF THE SUBJECT SITE;

F. SIGNAGE SHALL UTILIZE DESIGNS THAT ARE LOW GLARE AND UTILIZE RURAL DESIGN ELEMENTS THAT ARE CONSISTENT WITH THE SUBMITTED ELEVATIONS DATE STAMPED OCTOBER 23, 2008.

6. That the development shall be in general conformance with the conceptual landscaping plan date stamped October 23, 2008 with specific regard to enhanced landscaping shown along 67th Avenue, as approved by the Development Services Department.
7. That the western perimeter wall shall be a minimum 8-feet high and shall include material and textural differences with a decorative element, such as tile or painted block, as approved by the Development Services Department.
8. That a pedestrian walkway utilizing decorative paving materials shall be provided at the corner of Baseline Road and 67th Avenue. The walkway shall be at grade level with the sidewalk within the right-of-way and shall provide direct entry into the site at PAD 1. Landscape features shall be provided on either side of the pedestrian walkway outside of the visibility triangle, as approved by the Development Services Department.

TRANSIT

9. That right-of-way shall be dedicated and a bus bay (detail P1256-1) and transit pad (Detail P1261) constructed along 67th Avenue, as approved by the Development Services Department.

ARCHAEOLOGY

10. That the developer shall conduct archaeological monitoring and/or testing by a qualified archaeologist within all areas of the development prior to clearing and grubbing, landscape salvage, and/or grading, as approved or modified by the City Archaeologist. Further data recovery may be necessary based on results of the testing.

STREETS

11. That right-of-way totaling 60 feet shall be dedicated for the north half of Baseline Road, as approved by the Development Services Department.
12. That 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 Development Services Department. All improvements shall comply with all ADA accessibility standards.
13. That full service access points to the development shall be limited to 660-foot spacing unless otherwise approved by the Street Transportation Department. Additional access points may be approved, but will be restricted to right-in and right-out, as approved by the Development Services Department.
14. THAT PUBLIC MULTI-USE TRAILS SHALL BE CONSTRUCTED WITHIN AN EASEMENT(S) PER THE STANDARD TRAIL DETAIL (30-FOOT EASEMENT AND 10-FOOT TRAIL) IN ACCORDANCE WITH THE MAG SUPPLEMENTAL DETAIL ALONG 67TH AVENUE AND BASELINE ROADS AS APPROVED BY THE PARKS AND RECREATION DEPARTMENT. THE APPLICANT SHALL TRY TO CONNECT THE TRAIL ACROSS THE WELL SITE NORTH OF THE SUBJECT SITE ALONG 67TH AVENUE. THIS CONNECTION WILL NOT BE ENFORCED IF THE WELL OWNER DOES NOT AGREE TO THE TRAIL.
15. THAT THE FINAL ELEVATIONS FOR PAD-1(AT THE SOUTHEAST CORNER OF THE PARCEL) INCLUDING THE DRIVE-THRU CANOPY SHALL BE PRESENTED TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO PRELIMINARY SITE PLAN APPROVAL BY THE DEVELOPMENT SERVICES DEPARTMENT.
16. THAT THE APPLICANT SHALL NOTIFY THE FOLLOWING INDIVIDUALS 15 DAYS PRIOR TO ANY OF THE FOLLOWING EVENTS, PRELIMINARY SITE PLAN REVIEW MEETING, ZONING ADJUSTMENT HEARING OR PLANNING HEARING OFFICER HEARING.

A STEVEN KLEIN – 6820 SOUTH 66TH AVENUE, LAVEEN, AZ 85339

B. PHIL HERTEL – 2300 WEST BROADWAY ROAD, PHOENIX, AZ 85041

- C. JON KIMOTO – 3216 WEST ANSELL ROAD, LAVEEN, AZ 85339
- D. STEPHANIE SCOVELL – 7416 SOUTH 45TH AVENUE, LAVEEN, AZ 85339

LAVEEN VILLAGE PLANNING COMMITTEE (LVPC)

November 10, 2008

Cesar Chavez Branch Library

3635 West Baseline Road Laveen, AZ 85339

MINUTES

MEMBERS PRESENT

Wes Lines, Chair
Michael Norton, Vice Chair
Freddie Bracamonte
Phil Hertel
Erika Keenan
Jon Kimoto
Mark Williams

MEMBERS ABSENT

William Buividas
Lisette Flores
Alex Navidad
Michael Ramlogan

STAFF PRESENT

Jacob Zonn, Village Planner

1. Call to order.

Chairman Wes Lines called the meeting to order at 6:30 p.m. with a quorum of seven members present.

2. Review and approval of the October 13, 2008 meeting minutes.

The committee voted 7-0 to approve the October 13, 2008 minutes as presented.

3. Presentation, discussion and possible recommendation on Z-52-08-7. This is a request to rezone from County Rural-43 (Pending S-1) to C-2 for commercial development on 10.92 acres located at the northwest corner of 67th Avenue and Baseline Road. Presentation by Dustin Jones *The Planning Commission will review this request on November 12, 2008.*

Mr. Jacob Zonn presented a brief overview of the site and proposed project. The applicant provided a history of the parcel, evolution of the site plan and community participation. The Village Planning Committee (VPC) had concerns that there was insufficient parking. The applicant responded that the parking numbers were selected at the Development Services Department Pre-application meeting.

About 50 members of the community were present in support of the project. 22 cards were submitted in support of the request, with only one person addressing the committee. Mr. Jeff Itoh (6715 W Fremont Road, Laveen, AZ 85339), spoke in opposition addressing concerns in regards to traffic and the blocking of view corridors.

Mr. Steven Klein (6820 S 66th Avenue, Laveen, AZ 85339) spoke on behalf of the Laveen Citizens of Responsible Development and stated that the group recommended approval of the project.

Mr. Phil Hertel motioned, seconded by Jon Kimoto to approve Z-52-08-7 as presented with the following additional stipulations:

1. That the perimeter sign package be presented to the Laveen VPC for review and comments prior to action by the Zoning Administrator.
2. That building mounted signs along 67th Avenue be presented to the Laveen VPC for review and comments prior to action by the Zoning Administrator with specific regard to the following:
 - a). Design and lighting that will minimize impact on the single-family properties to the east of the site.
 - b). Signage shall utilize designs that are low glare and are more rural natured as opposed to the more typical commercial signs used in urban areas.
3. That the multi-use trail along 67th Avenue shall be developed to connect to the trail system in place outside of the residential property to the north, and should be contiguous so as to not interrupt neighborhood trail connectivity, as approved by the Development Services Dept.
4. That final elevations for PAD 1, including the drive thru canopy, shall be presented to the Laveen VPC for review and comment prior to final approval by the city.
5. That the applicant shall notify the following individuals 15 days prior to any of the following events, Preliminary site plan review meeting, Zoning Adjustment hearing or Planning Hearing Officer hearing.
 - a). Steven Klein – 6820 South 66th Avenue, Laveen, AZ 85339
 - b). Phil Hertel – 2300 West Broadway Road, Phoenix, AZ 85041
 - c). Jon Kimoto – 3216 West Ansell Road, Laveen, AZ 85339
 - d). Stephanie Scorell – 7416 South 45th Avenue, Laveen, AZ 85339

The committee voted 7-0 to approve the motion.

4. Presentation and discussion of city of Phoenix Village Core Model.

Mr. Jacob Zonn informed that staff is currently reviewing the history of the core, projects and plans that have already been approved. Upon staff's findings, the village will be presented with a history of the Laveen site, as well as the city's core model and examples around the city.