

# ATTACHMENT C

## REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Bradley Wylam, Planner I, Assisting

January 19, 2022

ITEM NO: 3	
	DISTRICT 7
SUBJECT:	
Application #:	PHO-3-21--Z-111-01-8(7)
Location:	Northwest corner of 75th Avenue and Baseline Road
Zoning:	R1-8, R-3A, C-1
Acreage:	39.67
Request:	1) Review of conceptual building elevations per Stipulation 2.
Applicant:	Cassandra Ayres, Beus Gilbert McGroder
Owner:	75 Baseline LLC and Coplen 64 LLC
Representative:	Paul E. Gilbert, Beus Gilbert McGroder

### **ACTIONS:**

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this request on January 10, 2022 and recommended approval by a vote of 7-0.

### **DISCUSSION:**

Cassandra Ayres, representative with Beus, Gilbert, McGroder PLLC, provided an overview of the original rezoning case and PHO-2-21—Z-111-01-8(7), which was heard at the October 20, 2021 Planning Hearing Officer hearing. She reviewed the proposed conceptual elevations and provided examples as to how they comply with additional stipulations that were approved in PHO-2-21—Z-111-01-8(7).

Lewis Smith, Laveen Ranch HOA President, stated that the developer, K Hovanian Homes, verbally agreed to maintain a drainage easement north of the subject property, which exists as Tract F on the final plat of Laveen Farms – Unit 4. Ms. Ayres confirmed that there is an agreement, but that it is off-site to this PHO request. Adam Stranieri, Planning Hearing Officer, stated that any maintenance agreement between the developer and neighboring HOA's would not be appropriate to stipulate in this case because the location is off-site and the

agreement is private. He requested that both parties continue this discussion outside the hearing.

Mr. Stranieri provided a review of the correspondence received from Mr. Smith and the unanimous approval from the Laveen Village Planning Committee. He noted that the Planning Hearing Officer review of elevations does not directly concern itself with the additional stipulations added from PHO-2-21—Z-111-01-8(7), which would be evaluated during plan review, however he thanked the applicant for directly addressing compliance with these stipulations in their presentation. He stated that the elevations depict a variety of architectural styles and details including pitched roofs, brick and stone façade materials, decorative garage doors, and variation in window size, among others. He noted that the existing language in Stipulation 2 included review of single-family, multifamily, and commercial elevations. He recommended that the proposed single-family and multifamily conceptual elevations be approved and referenced in a new stipulation. However, he recommended modifying the existing stipulation to maintain the reference for a review of commercial elevations in the event that commercial development was ever proposed on this portion of the site. He noted that no commercial development was included in the current request.

#### **FINDINGS:**

- 1) The proposed conceptual elevations for the single-family and multifamily residential product are recommended to be referenced in a new stipulation for general conformance. Accordingly, the existing language in Stipulation 2 is recommended to be modified to remove reference to single-family and multifamily development. The reference to commercial development is recommended to be retained as there is no commercial development proposed at this time, however the subject site contains a portion of C-1 zoning that may be developed with commercial uses in the future. At that time, a Planning Hearing Officer review would be appropriate as intended by the stipulation.
- 2) The proposed conceptual elevations depict a variety of architectural styles and details. Architectural details and features include, but are not limited to, pitched roofs, multiple rooflines, gable ornamentation, brick and stone façade materials, decorative garage doors, decorative lighting elements, shutters, variation in window size and style, window detailing including sills and split-pane designs, columns, offsets, and patios and other overhangs. Many of these elements are consistent with design goals in the Southwest Growth Study, are compatible with development in the surrounding area, and reflect the unique rural character throughout the Laveen Village.
- 3) In their narrative, the applicant also identified 11 existing stipulations that directly address design requirements for building designs. These

stipulations are not part of the current request. However, it should be noted that the applicant explicitly addressed these stipulations in their designs. Final compliance with these stipulations will be evaluated during the plan review process.

## **STIPULATIONS**

1.	The development shall be in general conformance with the site plan date stamped October 19, 2021 as modified by the following stipulations, as approved by the Planning and Development Department, and with specific regard to the following:
a.	Multifamily residential development on the property zoned C-1 shall not exceed 97 units.
2.	THE SINGLE-FAMILY AND MULTIFAMILY DEVELOPMENTS SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED JANUARY 14, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
3. <del>2-</del>	Conceptual building elevations for <del>single-family, multifamily, and/or</del> commercial development shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to final site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements may be determined by the Planning Hearing Officer and the Planning and Development Department.
STREETS AND RIGHT-OF-WAY	
4. <del>3-</del>	Right-of-way totaling 55 feet and a 10-foot sidewalk easement shall be dedicated for the north half of Baseline Road.
5. <del>4-</del>	Right-of-way totaling 30 feet shall be dedicated for the west half of 71st Avenue.
6. <del>5-</del>	Right-of-way totaling 80 feet with a 20-foot sidewalk easement shall be dedicated for 75th Avenue.
7. <del>6-</del>	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northeast and northwest corners of 75th Avenue and Baseline Road.

8. <del>7.</del>	A 21-foot by 21-foot right-of-way triangle shall be dedicated at the northwest corner of 71st Avenue and Baseline Road.
9. <del>8.</del>	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 City. All improvements shall comply with all ADA accessibility standards
10. <del>9.</del>	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
LANDSCAPED SETBACKS, OPEN SPACE, TRAILS, FENCING AND ENTRANCES	
11. <del>10.</del>	Each entrance to the subdivision on Baseline Road shall incorporate subdivision entry signage and monumentation into the perimeter wall of the subdivision. Samples of fencing and entry design concepts shall be consistent with the Laveen Plan and approved by the Planning and Development Department.
12. <del>11.</del>	Fence line shown on southern boundary of parcels three and four to substantially conform to zoning exhibit dated April 5, 2002 and stay broken down into smaller segments that undulate to break up the fence line on Baseline Road as shown.
13. <del>12.</del>	Walls constructed adjacent to internal trails and open space areas shall be view walls. View walls shall be 100% wrought iron or a combination of 4 feet masonry and 2 feet of wrought iron. This standard is exclusive of the single-family homes next to 71st Avenue, open space on the southern portion of the site and the residential developments adjacent to commercial development.
14. <del>13.</del>	The development shall comply with the Laveen Plan regarding the 50-foot setback along Baseline Road.
15. <del>14.</del>	A 10-foot multi-use trail shall be provided along Baseline Road, and along the northern boundary of the property in conjunction with the property to the north. An 8-foot multi-use trail shall be provided along the east side of 75th Avenue. Trails shall be consistent with the approved trail standards as approved by the Parks and Recreation Department.

16. 15-	A 10-foot shared use path (sidewalk) shall be provided within the 20-foot sidewalk easement along the west side of 71st Avenue as approved by the Parks and Recreation Department.	
17. 16-	Passive and/or active recreational amenities shall be provided in the open space area.	
18. 17-	Pedestrian walkways/connections shall be provided between the multi-family and commercial development.	
19. 18-	Pedestrian walkways/connections within the commercial and multi-family residential developments shall be constructed of materials other than asphalt. If concrete is used, it must be stamped.	
TRANSIT STOPS		
20. 19-	a.	Right-of-way and construction of bus bay (P1257) and transit pad (P1261) shall be constructed at the following locations: Northbound 75th Avenue north of Baseline Road.
	b.	Right-of-way shall be dedicated at the following location for future construction of bus bay and transit pad: Westbound Baseline Road west of 75th Avenue.
21. 20-	Right-of-way and construction for transit pads (P1262) shall be constructed at the following locations:	
	a.	Northbound 75th Avenue north of Fremont Road.
	b.	Southbound 75th Avenue south of Fremont Road.
	c.	Westbound Baseline Road west of 71st Avenue.
	d.	Westbound Baseline Road west of 73rd Avenue
COMMERCIAL DESIGN		
22. 21-	All buildings shall have a similar architectural character. A theme consistent with the Laveen Plan shall be approved by the Planning and Development Department prior to any preliminary site plan approval. The theme shall include a minimum of two of the following materials as accent materials: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), or exposed aggregate concrete.	

23. <del>22.</del>	Rear and side facades and roofline treatment, including color, texture and material shall be "architecturally finished" to minimize visual impact to adjacent residential areas as approved by the Planning and Development Department.
24. <del>23.</del>	A shade arcade, a minimum of ten feet in width, shall be provided along any building wall with a primary customer entrance.
25. <del>24.</del>	Fifteen percent of surface parking areas within the commercial development, exclusive of the required perimeter landscaping and front setbacks, shall be landscaped and maintained. Landscaping shall be dispersed throughout the parking area with the interior width of all planting islands to be no less than eight feet in width and a minimum of 120 square feet in area.
26. <del>25.</del>	There shall be no more than six parking spaces between any pad structure and Baseline Road.
27. <del>26.</del>	There shall be no overnight parking of recreational vehicles, travel trailers, or similar vehicles.
28. <del>27.</del>	There shall be no permanent installation of mobile containers permitted, exclusive of temporary loading and unloading.
29. <del>28.</del>	Any drive-through shall be screened from view of the perimeter street with a landscaped berm or a combination of a wall and landscaped berm at least four feet in height.
30. <del>29.</del>	The site plan (commercial development) shall connect the parcels/buildings together with shade protected walkways as approved by the Planning and Development Department. The pathways shall reflect a common landscaping theme and include a minimum of two-inch caliper shade trees placed 20 feet on center exclusive of driveway/roadway crossings.
31. <del>30.</del>	The setbacks shall be landscaped with 2-inch caliper shade trees planted an average of 20 feet on center.
32. <del>31.</del>	Any service station canopies or drive-through canopies shall not exceed 16 feet in height measured from the ground to the underside of the canopy.
33. <del>32.</del>	All canopy support pillars shall be a minimum of two feet wide by two feet deep, from the ground to the underside of the canopy, and shall be finished with the same body and accent materials as the primary building.

34. <del>33.</del>	Electrical and service boxes shall be painted to match the building and/or screened from view.
35. <del>34.</del>	All canopy lighting shall be flush-mounted or recessed, as approved by the Planning and Development Department.
OTHER	
36. <del>35.</del>	The property owner shall record documents that disclose to purchasers of property within the development the existence and potential characteristics of agricultural use property in the vicinity. The form and content of such documents shall be reviewed and approved by the City Law Department prior to final site plan approval.
37. <del>36.</del>	The subject site has the potential to contain archaeological resources. The applicant shall submit an archaeological survey for review and approval by the City Archaeologist (602) 495-0901.
38. <del>37.</del>	The maximum density relating to the R1-8 PRD portion shall not exceed 3.76 du/acre.
39. <del>38.</del>	The minimum residential lot width shall be 45 feet for single-family detached residential uses, except that smaller lot widths are allowed on cul-de-sacs and curves, as approved or modified by the Planning and Development Department.
40. <del>39.</del>	The minimum amount of open space shall not be less than 12%. (This 12% as indicated on the April 5, 2002 site plan will be "interior" to the overall residential neighborhood, which includes the contiguous development to the north. Also, open space is set aside for trail continuity, along the outside edge, as part of the 12%).
41. <del>40.</del>	Sidewalks, curbs, and streetscapes on residentially zoned property shall be designed in such a way to allow for rural mail delivery.
42. <del>41.</del>	The minimum overhang on any given product with a peaked roof will be 18 inches.
43. <del>42.</del>	On the site plan dated April 10, 2002, homes on lots 5-7, 124-128 (Parcel 3), 8-11, 117-126 (Parcel 4) not exceed one-story.
44. <del>43.</del>	Dwelling footprints will be placed in such a manner as to maximize the distance between houses.

45. 44.	Building setbacks will be offset along the street frontage.
46. 45.	Wrap-around architectural details and materials will be used on both sides of houses along street frontages on corner lots.
47. 46.	A variety of at least two different types of roof styles (e.g., flat concrete shingles and “S” concrete shingles) shall be offered in at least two colors.
48. 47.	At least one elevation per floor plan shall include either brick or stone accents.
49. 48.	All mechanical equipment and dishes larger than 20 inches must be ground-mounted.
50. 49.	Lots 111-121, Parcel 4, on the east side of the project shall be a minimum of 10,000 square feet in size as shown on zoning exhibit dated April 5, 2002.
51. 50.	For multifamily residential development, the developer shall provide secured bicycle parking as required in Chapter 13, Section 1307.H for multifamily development, as approved by the Planning and Development Department.
52. 51.	Any request to change, delete, or modify stipulations shall be presented through the Planning Hearing Officer process and notification shall be given to the Laveen Village Planning Committee prior to the Planning Hearing Officer hearing.
53. 52.	Front elevations of lots zoned R1-8 and R-3A on the west side of 75th Avenue shall contain a combination of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size and location, or overhang canopies, as approved by the Planning and Development Department.
54. 53.	Front elevations of lots zoned R1-8 and R-3A on the west side of 75th Avenue shall incorporate a minimum of three of the following building materials: stone veneer, textured brick, stucco, and board and batten siding, shutters, or decorative gable vents, as approved by the Planning and Development Department.
55. 54.	Front elevations of lots zoned R1-8 and R3-A on the west side of 75th Avenue shall be comprised of a maximum of 75% stucco or other main material, and a minimum of 25% accent material.



56. <del>55.</del>	Lots zoned R1-8 and R-3A on the west side of 75th Avenue shall include theme walls which shall include material and textural differences such as stucco and/or split face block, as approved by the Planning and Development Department.
57. <del>56.</del>	Garage doors on lots zoned R1-8 and R-3A on the west side of 75th Avenue shall incorporate decorative embellishments such as added materials surrounding the door, garage door hardware, or stamped panel doors, as approved by the Planning and Development Department.
58. <del>57.</del>	Attached residential units on the property on the west side of 75th Avenue shall reduce building mass by using a combination of the following techniques, as approved by the Planning and Development Department.
	a. Variation in the roofline and form.
	b. Use of protected or recessed building entrances.
	c. Vertical elements on or in front of expansive blank walls.
	d. Use of wall plane offsets and projections.
	e. Use of focal points and vertical accents.
	f. Inclusion of windows on elevations facing streets and pedestrian areas.
59. <del>58.</del>	Front facades greater than 60 feet in length of attached residential units on the property on the west side of 75th Avenue shall include a minimum of two of the following elements repeating at appropriate intervals, either horizontally or vertically: texture and material changes, offsets, reveals, recessed front entries, archways or projecting ribs, wall plane projections or recesses, variations in window systems, or vertical landscape features, as approved by the Planning and Development Department.
60. <del>59.</del>	Attached residential units on the property on the west side of 75th Avenue shall have pitched, gable, or hipped roof types.
61. <del>60.</del>	Driveways for lots zoned R1-8 and R-3A on the west side of 75th Avenue shall be 22 feet in length as measured from the back of the sidewalk.

62. <del>61.</del>	The maximum building height shall be 25 feet for all single-family detached residential lots along 75th Avenue and the northern boundary of the subject property.
63. <del>62.</del>	All lots zoned R1-8 and R3-A on the west side of 75th Avenue, which are developed with single-family detached residential units, shall provide minimum five-foot side yard building setbacks.
64. <del>63.</del>	Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

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