



## Village Planning Committee Meeting Summary

### Z-51-21-1

<b>Date of VPC Meeting</b>	October 20, 2021
<b>Request</b>	Presentation, discussion, and possible recommendation regarding a request to rezone 3.45 acres located at the southeast corner of 33rd Avenue and Peoria Avenue <b>from</b> C-O (Commercial Office – Restricted Commercial District) <b>to</b> C-2 (Intermediate Commercial District) to allow commercial uses.
<b>VPC Recommendation</b>	Approve
<b>VPC Vote</b>	14-0-0

#### **VPC DISCUSSION:**

*No speaker cards were received on this item.*

*At this time, Veidmark departed the meeting reducing the quorum to 14 members (11 being required for a quorum),*

#### **STAFF PRESENTATION**

**Klimek**, staff, provided an overview of the case as detailed in the published staff report including background of the site, the proposal for the development of three commercial pads including two drive-through restaurants and a retail shop building. The proposal is compatible with the General Plan Land Use Map designation of Commercial and is further aligned by including a shaded and detached sidewalk along Peoria Avenue which will provide direct pedestrian connections to the North Mountain Village Core, the forthcoming Metrocenter light rail station, and the terminus of the forthcoming Bus Rapid Transit corridor at 35th Avenue.

Staff is recommending approval subject to 5 stipulations focuses on architectural embellishments, shaded and detached sidewalks along Peoria Avenue, bicycle parking, and then standard stipulations pertaining to ADA Compliance and Archaeology. He concluded by asking that, if the committee is inclined to provide a recommendation to approve, that they modify the recommendation to update the stipulation numbering contained in the staff report.

#### **APPLICANT PRESENTATION**

**Rajesh Gore**, of RKAA Architects, Inc, introduced himself as representing the applicant, thanked Klimek for the detailed presentation, and informed the

committee that the landscape setback along the south property line where adjacent is 15' and not 25' as stated by staff but that this still exceeds the minimum 10' requirement. He then invited questions from the committee.

#### QUESTIONS FROM COMMITTEE

**Steinmetz** expressed concern regarding the water shortage in Arizona and that the city's push for more trees over the past three years conflicts with the water shortage and that trees often are not connected to irrigation. He asked who will be responsible for maintaining the trees on site. **Klimek** responded that the owner will be responsible for maintaining site landscaping in perpetuity and the intent of the stipulation is to create an environment that is safe and comfortable for people on foot. **Steinmetz** added that shade trees are being enjoyed mostly by the homeless and encouraged the owner to be attentive to safety issues.

**Perez** asked about the public outreach process including to the adjacent multifamily residents and to the single-family homes across Peoria Avenue. She expressed concern over the addition of multiple drive-throughs on an already busy street and asked what the applicant has done to mitigate potential traffic and safety issues. She asked if they have a tenant for the retail space selected and indicated that the space should be occupied by something that people in the area want. **Gore** responded that they sent letters to all nearby owners and didn't receive any opposition. Regarding safety and traffic, he shared that all site access is proposed from the side streets and that both drive-throughs are configured to be accessed from the interior of the site so that any overflow queuing will not block access to the site or reach the public streets. He added that the retail building space is approximately 6000 square feet which would be best for small shops and is too small for a traditional CVS or dollar store.

**Argiro** asked if the proposed tenant for the retail pad a marijuana dispensary and if that would be permitted by the proposed zoning. **Klimek** responded that a dispensary would require a Use Permit under a separate process after the zoning process is complete but deferred the question to the applicant on if the use is being considered. **Gore** responded that they have not solidified a tenant lease at this time. **Jonathan Strawther** introduced himself as a member of the development team and indicated that they are not considering a marijuana-oriented tenant.

#### PUBLIC COMMENTS

None.

#### APPLICANT RESPONSE

None.

FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE.

#### **MOTION**

**Steinmetz** moved to approve the request per the staff recommendation with the technical correction to renumber the stipulations contained in the staff report. Second by Chair Krentz.

### **DISCUSSION**

**None.**

**VOTE: 14-0-0**, motion passes with Alauria, Argiro, Barraza, Carrell, Larson, McBride, O'Connor, O'Hara, Perez, Sommacampagna, Steinmetz, Whitney, Vice Chair Jaramillo, and Chair Krentz in favor; none in dissent; and none in abstention.

### **RECOMMENDED STIPULATIONS:**

1. All elevations of the building shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
2. The public sidewalk along Peoria Avenue shall be a minimum width of 5 feet, shall be detached with a minimum 10-foot-wide landscape area located between the sidewalk and back of curb and planted to the following standards. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with the creation of a comfortable pedestrian environment.
  - a. Minimum 3-inch caliper, large canopy, single-trunk, shade trees shall be placed 25 feet on center or in equivalent groupings.
  - b. At tree maturity, the trees shall shade the sidewalks to a minimum 75 percent.
  - c. Drought tolerant shrubs and vegetative groundcovers maintained to a maximum height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
3. One bicycle parking space shall be provided per 25 vehicle parking spaces, near building entrances, shaded to 50 percent, and installed per the requirements of Section 1307(H) of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
4. 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 Planning and

Development Department. All improvements shall comply with all ADA accessibility standards.

5. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
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