



Village Planning Committee Meeting Summary

PHO-1-22—Z-51-08-7

Date of VPC Meeting April 11, 2022

Date of Planning Hearing April 20, 2022
Officer Hearing

Request

- 1) Modification of Stipulation 1 regarding general conformance with the residential elevations date stamped May 20, 2008 and the site plan date stamped August 11, 2008.
- 2) Deletion of Stipulation 1.a regarding the maximum size of the commercial building to the north.
- 3) Deletion of Stipulation 1.b regarding the maximum size of the commercial building to the south.
- 4) Deletion of Stipulation 2 regarding Planning Hearing Officer approval of elevations for the commercial pads.
- 5) Modification of Stipulation 3 regarding general conformance with the conceptual landscaping plan date stamped July 25, 2008.
- 6) Modification of Stipulation 4 regarding perimeter wall material and textural differences.
- 7) Modification of Stipulation 5 regarding shading and connectivity of pedestrian walkways.
- 8) Modification of Stipulation 12 regarding a maximum number of 276 residential units.
- 9) Deletion of Stipulation 13 regarding fencing, landscaping, and parking standards for the western property area.
- 10) Deletion of Stipulation 15 regarding a minimum 15-foot landscape setback along the southern perimeter of the property.
- 11) Modification of Stipulation 16 regarding Laveen Village Planning Committee review and comment on final landscape plans, lighting plans, and sign packages.
- 12) Deletion of Stipulation 17 regarding parking lot screen and landscape along 35th Avenue.
- 13) Deletion of Stipulation 19 regarding commercial monument signs.
- 14) Technical corrections to Stipulations 8, 9, 10, and 14.

Location	Approximately 1,500 feet south of the southwest corner of 35th Avenue and Southern Avenue
VPC Recommendation	Approval, as presented by the applicant
VPC Vote	8-0 ; Committee members Abegg, Barraza, Buggs, Hurd, Jensen, Ortega, Perrera, and Rouse in favor.

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

2 persons indicated that they wished to speak.

Julianna Pierre provided information regarding the location of the site and surrounding zoning. She stated that the site has split zoning, R-4 and C-1, and original plans depicted residential and commercial development on the site. She stated that the applicant is requesting modifications to Stipulation Nos. 1, 3, 4, 5, 12, and 16; deletion of Stipulation Nos. 1.a, 1.b, 2, 13, 15, 17, and 18; and technical corrections to Stipulation Nos. 8, 9, 10, and 15. She stated that the applicant is proposing a 173-unit rental community with 1- and 2-story homes, but 89% of the homes will be limited to 1 story or 18 feet in height.

Ben Graff, representative with Quarles & Brady LLP, provided information regarding the zoning of the site. He stated that the commercial center directly to the north has satisfied the need for services in the area and commercial is no longer viable for the subject site. He stated that the development will have single-family homes with a modern agrarian look and personal backyards. He confirmed that all homes will have a minimum 25 percent non-stucco accent material and 21-foot-deep garages.

Ben Graff also reviewed the sign, lighting, and landscape plans. He stated that lighting will be directed downward and dispersed at the property line. He added that homes will have front porch lights, the common areas will have bollard lighting, and parking areas will have security lighting. He also stated that the development will have 13.2 percent common open space and 10.3 percent dedicated to personal backyards.

Ben Graff stated that plans were modified after receiving comments back from the Laveen Citizens for Responsible Development (LCRD) and Laveen Village Planning Committee (VPC) members. The modifications included reductions in height, an increased building setback along the southern property line, additional trees along the southern property line, additional amenities, and inclusion of electric vehicle charging stations.

Ben Graff reviewed the request. He specifically noted modifications to Stipulation 1, to add a sub-stipulation regarding 25 percent non-stucco accents; Stipulation 12, to add language limiting 89 percent of units to a maximum height of one story or 18 feet; and Stipulation 16, to delete the requirement to return for review and comment because the landscape plan, lighting plan, and sign package were presented to the VPC at the current meeting.

QUESTIONS FROM COMMITTEE

Committee member Carlos Ortega asked for clarification regarding parking. **Ben Graff** stated that garages will be 21 feet in length and all other parking stalls will be 18 feet in length. **Committee member Carlos Ortega** stated that this will not fulfill parking needs if a resident cannot pay for a garage space.

Committee member Carlos Ortega asked for clarification regarding emergency access. **Ben Graff** stated that the driveway to 37th Avenue will be emergency access only with a crash gate. He added that the driveway to 35th Avenue will provide standard ingress and egress to residents.

Committee member Carlos Ortega asked about access for school buses. **Ben Graff** stated that he was unsure whether there will be a pickup point for children along 35th Avenue or if the turnaround within the development will be used. **Committee member Carlos Ortega** emphasized that a bus should be able to enter the development, allowing children to safely board the bus. **Committee member Francisco Barraza** indicated that the Laveen School District will assist with routing and pickup.

Committee member Rebecca Perrera noted that trees along the west side of the development will be maintained by the development's management. She asked for clarification regarding landscaping in the personal backyards. **Ben Graff** stated that the personal backyards will have desert landscaping with a canopy tree and renters will be able to landscape their own yard. He added that the neighbors to the west requested extensive landscaping, which will require maintenance from management. **Tim Grant**, owner with Laveen 12 LLC, added that backyards will have standard turf, so there is little to no water or maintenance necessary. **Committee member Rebecca Perrera** expressed gratitude that rear yards will have landscaping.

Vice Chair Linda Abegg expressed appreciation for the common open areas and varied elevations.

PUBLIC COMMENTS

Dan Penton appreciated the changes made before the Planning Hearing Office (PHO) hearing, but was concerned about the loss of trees along the north property line. **Ben Graff** stated that they were looking to offset water usage, but will consider adding trees between buildings on the north.

Phil Hertel stated that the updated plans were an improvement over the originals. He requested that the developer work with the school district to provide a contribution per unit. He added that trees near driveways should allow for a clear line of sight under the canopy. **Ben Graff** stated that his team will contact the school district regarding buses and contributions.

MOTION

Committee member Francisco Barraza made a motion to approve PHO-1-22—Z-51-08-7 as presented by the applicant. The motion was seconded by **Committee member Stephanie Hurd**.

VOTE

8-0, motion passed; Committee members Abegg, Barraza, Buggs, Hurd, Jensen, Ortega, Perrera, and Rouse in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS:

The VPC approved the item, as presented by the applicant. Per the applicant's presentation, the approved stipulations for the case are as follows:

1. That the development shall be in general conformance with the residential elevations date stamped ~~May 20, 2008~~ MARCH 4, 2022 and the site plan date stamped ~~August 11, 2008~~ MARCH 4, 2022, as modified by the following stipulations and approved by the PLANNING AND Development ~~Services~~ Department. with specific regard to the following:

a. ~~That the commercial building to the north be a maximum of 5300 square feet.~~
THE FRONT ELEVATIONS SHALL CONTAIN A MINIMUM OF 25% NON-STUCCO OR ACCENT MATERIALS.

b. ~~That the commercial building to the south be a maximum of 6700 square feet.~~

2. ~~That the elevations for the commercial pads shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Development Services Department.~~

3. That landscaping shall be in general conformance with the conceptual landscaping plan date stamped ~~July 25, 2008~~ MARCH 4, 2022, with the addition of landscape diamonds provided approximately every 6 stalls in the commercial and guest residential parking areas, THE UNCOVERED PARKING AREAS WITH MORE THAN 6 STALLS WILL INCLUDE LANDSCAPE ISLANDS as approved or modified by the PLANNING AND Development ~~Services~~ Department.

4. That the EAST AND WEST perimeter walls shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile, glass insets, or stamped designs, as approved by the PLANNING AND Development ~~Services~~ Department.

5. That all pedestrian walkways shall be shaded USING TREES AND OTHER SITE FEATURES TO THE EXTENT PRACTICABLE and connect all residential buildings to project amenities, ~~commercial pads to the east and the commercial site to the north,~~ as approved by the PLANNING AND Development ~~Services~~ Department.

6. 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.

7. That the property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided, which have been reviewed and approved by the City Attorney.

8. That right-of-way totaling 55 feet shall be dedicated for the west half of 35th Avenue, as approved by the PLANNING AND Development ~~Services~~ Department.

9. That right-of-way totaling 25 feet shall be dedicated for the east half of 37th Avenue, as approved by the PLANNING AND Development Services Department.

10. 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 PLANNING AND Development Services Department. All improvements shall comply with all ADA accessibility standards.

11. That the applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.

12. That the maximum number of residential units shall not exceed 276 173, WITH A MAXIMUM OF 89% OF THE TOTAL NUMBER UNITS LIMITED TO ONE STORY OR 18 FEET IN HEIGHT.

~~13. That the western property area shall be designed in the following manner as approved or modified by the Development Services Department:~~

- ~~a. That owner shall file for and pursue a variance to allow for a maximum 8-foot ornamental iron view fence on the western property line;~~
- ~~b. Minimum 8-foot wide landscape setback between the block wall/view fence and the proposed parking structures along the western perimeter (additional landscaping shall occur outside the perimeter fence);~~
- ~~c. Covered parking spaces adjacent to required view fencing, located on the west end of the property shall be screened from the residential properties to the west of the site. The screening method shall consist of either landscaping or a wall attached to the parking canopy;~~
- ~~d. A mixture of 75% 4 to 6-inch caliper trees within the landscaped setback shall be planted to act as a visual buffer between the western most apartment buildings and the residential properties to the west.~~

14. That mature trees shall be salvaged and utilized within all the landscape setbacks with specific regard to placement of the larger specimens within the western landscape setback as approved by the PLANNING AND Development Services Department.

~~15. That the applicant shall provide a minimum 15-foot landscape setback along the southern perimeter of the property. The setback shall be landscaped with a staggered double row of a 75% mixture of 3 to 6-inch caliper trees planted approximately 25 feet on center as approved by the Development Services Department.~~

~~16. That the final landscape plan, lighting plan, and sign package for the commercial and residential project shall be submitted to the Laveen Village Planning Committee for review and comment prior to preliminary site plan approval by the Development Services Department. That all signs shall not exceed 6 feet in height as approved by the Development Services Department.~~

~~17. That the parking lot screen wall and landscape pallet within the 35th Avenue landscaped setback shall compliment the adjacent existing development to the north~~

~~and be compatible in color, texture, form and materials as approved by the Development Services Department.~~

18. 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. Mark Williams - 7150 East Camelback Road #285, Scottsdale, AZ 85251
- e. Randy Raskin - 5110 North 40th Street, Suite 100, Phoenix, AZ 85018

19. ~~That the two commercial monument signs on 35th Avenue, and the lighted signs on the commercial building shall be limited to a maximum of one user each, as approved by the Development Services Departments.~~