



## Village Planning Committee Meeting Summary

**Z-35-21-7**

**REVISED**

<b>Date of VPC Meeting</b>	January 9, 2023
<b>Request From</b>	C-2 H-R SP (Approved C-2 or CP/GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP) and S-1 (Approved C-2/CP-GCP)
<b>Request To</b>	PUD
<b>Proposed Use</b>	Single-family, multifamily residential, retail, office, and commerce park uses
<b>Location</b>	Northeast corner of 63rd Avenue and Dobbins Road
<b>VPC Recommendation</b>	Approval, per the staff recommendation with stipulation modifications and additional stipulations
<b>VPC Vote</b>	7-1

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*Item No. 6 (GPA-LV-3-21-7) and Item No. 7 (Z-35-21-7) are companion cases and were heard together.*

*Four members of the public registered to speak on this item. Two of the members donated their time.*

### **STAFF PRESENTATION:**

**Enrique Bojórquez**, staff, provided an overview of the rezoning proposal, including the companion minor General Plan Amendment case GPA-LV-3-21-7, describing the location of the requests, the existing and proposed zoning districts and land use designations and the proposed use. Mr. Bojórquez reviewed the surrounding zoning districts and land uses and described the proposed development units. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez stated that staff did not receive any letters from the public regarding these requests. Mr. Bojórquez provided staff findings, followed by the staff recommendation of approval on each case, and discussed the stipulations as presented in the staff report for case Z-35-21-7.

## APPLICANT PRESENTATION:

**Wendy Riddell**, representing the applicant with Berry Riddell LLC., introduced herself and the proposed project. Ms. Riddell described the existing zoning entitlement on the property, which allows for significantly more dwelling units at a height of up to 90 feet. Ms. Riddell described the site's location in regard to the Loop 202 freeway and described approved plus proposed surrounding development. Ms. Riddell described the public outreach conducted and concerns addressed on this project since the summer of 2021. Ms. Riddell described three options for development plans within Development Unit 1 (Village Core). Ms. Riddell explained that these are examples of what could be developed on the site. Ms. Riddell described amenities proposed in this portion of the site, including public art, electric vehicle parking, a sit-down restaurant, among other elements. Ms. Riddell described both allowed and prohibited uses, height step-back standards, and density standards. Ms. Riddell stated that a successful technology corridor is in the City of Chandler and discussed the variety of land uses located in this other corridor. Ms. Riddell described the streetscape standards proposed along Dobbins Road, Village Core design elements and materials, plus branding elements. Ms. Riddell described the commitments by Clear Channel regarding off-site signage (billboards) and funding for Laveen area parks. Ms. Riddell described additional stipulations for case Z-35-21-7 that were agreed upon after the staff report was published. Ms. Riddell requested a recommendation of approval on both cases.

## QUESTIONS FROM COMMITTEE:

**Dean Chiarelli** asked for clarification on the proposed building height. **Ms. Riddell** discussed the height standards proposed, in addition to the new proposed stipulation which would allow flexibility for employment uses. **Mr. Chiarelli** asked for clarification on the definition of employment to ensure that high-wage jobs locate here. Mr. Chiarelli opposes additional height along the Loop 202 freeway. **Ms. Riddell** explained that only high-wage employers would pay to build up to the height proposed.

**\*Chair Abegg** stated that this is a prime area for retail and employment uses. Chair Abegg explained that the applicant has existing entitlements but is seeking a PUD to allow billboards. Chair Abegg stated that employment and retail uses are needed in Laveen and would like for more acreage within this site to be part of the Village Core area for employment uses, for a total of 30 acres within Development Unit 1. Chair Abegg supports the added height to attract a major employer and supports the funding for parks in the Laveen area. Chair Abegg would like for the donated funds addressed in Stipulation No. 5 to go towards Olney Park, east of the site.

**Rebecca Perrera** agrees with Chair Abegg and would like to hear more about Development Unit 2. Ms. Perrera would like for future site plans and elevations in Development Unit 2 to be reviewed by the VPC and asked for clarification on Olney Park and the donation structure proposed. **Chair Abegg** explained that a local school and the City of Phoenix Parks and Recreation Department underwent a land swap and described park funding. Chair Abegg explained that the proposed donation by the applicant is for operations of parks within Laveen. **Ms. Riddell** explained that nearly \$1 Million on impact fees went to the Parks and Recreation Department and would prefer to leave the current stipulation on case Z-35-21-7 regarding the monetary donation for parks as this is flexible. Ms. Riddell would oppose a stipulation requiring the review and

comment of plans by the VPC for Development Unit 2 and increasing the size of Development Unit 1.

PUBLIC COMMENTS:

**Phil Hertel** stated that the conceptual plans described by the applicant are not guaranteed and there needs to be other stipulations added to case Z-35-21-7 which require the review and comment by the Laveen VPC on future site plans, elevations, sign plans, and landscape plans. Mr. Hertel also wants to ensure that this development addresses school contributions in lieu of impacts to schools in Laveen.

**Dan Penton** generally likes elements of case Z-35-21-7, including the electric vehicle charging, but would like to see a bikeway along the east connecting the site to the Laveen Conveyance Channel, a protected bicycle lane along all adjacent streets, bicycle lockers, a bicycle fix-it station near trails or pathways, and procure local artists to develop art in the development. Mr. Penton discussed the Dobbins Road streetscape and added that an entry feature could be incorporated at the intersection with 63rd Avenue. Mr. Penton would like to see a stipulation that requires the review and comment for at least the signage and elevations in the future, to ensure that these will get built as proposed.

APPLICANT RESPONSE:

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

**Jennifer Rouse** thanked the applicant for their work on these cases. Ms. Rouse proposed to approve both cases but add and modify stipulations for case Z-35-21-7.

**Chair Abegg** and **Wendy Riddell** discussed the stipulations proposed on case Z-35-21-7.

**Ms. Perrera** asked for clarification on the stipulations.

**Chair Abegg** explained her preference on the additional stipulations.

MOTION (Z-35-21-7):

**Jennifer Rouse** motioned to approve Z-35-21-7 per the staff recommendation with a modification to Stipulation Nos. 1.e and 1.f, and additional Stipulation Nos. 1.i, 1.j, 1.k, 17 and 18. **Carlos Ortega** seconded the motion.

Approved Stipulations:

1. An updated Development Narrative for the Crossing at Dobbins PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative dated December 7, 2022 as modified by the following stipulations.

- a. Front Cover, add “City Council adopted: [Insert Adoption date]”
- b. Remove any reference to Urban Air Mobility or Vertiport.
- c. Page 34, Land Use Section: The following uses shall be added to the prohibited land use section for Development Unit 2.
  - Adult Uses
  - Automobile Parts and Supplies, New Retail and Wholesale
  - Auto Seat Covers and Trim Shop
  - Boats, Retail Sales
  - Motorcycles, Repairing and Sales
  - Tire Repairing Equipment and Supplies
  - Tractors, Retail Sales, Display
  - Truck Stop/Travel Center
  - Self-Storage Service Warehouse
  - Automobile Service Station/ Gas Station
  - Car Wash
  - Garage Repair
  - Warehousing
  - Wholesaling, as a primary use
  - Distribution Facility, as a primary use
  - Outdoor Uses (Section 626.F.2z)
- d. All applicable sections that reference drive-thru restaurants, which include but not limited to, land use and design guidelines, shall be updated to reflect the maximum of two drive-thru restaurants.
- e. Page 17: A graphic shall be inserted within the Land Use Section identifying the boundaries for Village Core North and Village Core South in addition to language that states that Village Core **North IS APPROXIMATELY 20 ACRES** and Village Core South will ~~each~~ be approximately 10 acres in size.
- f. Appendices: Legal descriptions for Development Units 1 and 2 and Village Core North and Village Core South shall be added to the PUD as additional appendices. **AN UPDATED CONCEPTUAL DEVELOPMENT PLAN EXHIBIT SHALL BE PROVIDED IN THE DEVELOPMENT NARRATIVE. Acreages for Development Units 1 and 2 will be consistent with the Conceptual Development Plan exhibit and acreages for Village Core North and Village Core South will be approximately 10 acres each.**
- g. Pages 45-46: Language referring to a Comprehensive Sign Plan found on page 46 shall be moved under the text of 5K on page 45 and be reworded as follows:

ON-PREMISE SIGNS WILL COMPLY WITH CHAPTER 7 OF THE PHOENIX ZONING ORDINANCE AND A COMPREHENSIVE SIGN PLAN MAY BE REQUIRED AS DETERMINED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- h. Page 45, Signs Section, Second Bullet Point: Modify the last sentence in the paragraph to read as follows:

FINAL DESIGN OF OFF-PREMISE SIGNS TO BE REVIEWED AND APPROVED BY THE LAVERN VILLAGE PLANNING COMMITTEE.

- i. **MODIFY THE DEVELOPMENT NARRATIVE, WHERE APPLICABLE, TO REFLECT THE FOLLOWING:**

**ALL DISTRIBUTION, MANUFACTURING, WAREHOUSE USES AS A PRIMARY USE, WHERE PERMITTED, SHALL COMPLY WITH THE FOLLOWING STANDARDS AND RESTRICTIONS.**

- i. THERE SHALL BE A MAXIMUM OF 1 DOCK DOOR PER 20,000 SQUARE FEET OF INDUSTRIAL USE TO ENSURE DISTRIBUTION AND WHOLESALING ARE NOT A PRIMARY USE.**
  - ii. DISTRIBUTION USES ARE ONLY ALLOWED AS AN ACCESSORY USE.**
  - iii. WHOLESALING AND DISTRIBUTION AS PRIMARY USES SHALL BE PROHIBITED.**
- j. **THE MAXIMUM PERMITTED BUILDING HEIGHT FOR OFFICE USES IN DEVELOPMENT UNIT 2 SHALL BE 120 FEET, FOLLOWING THE SAME STEP BACK STANDARDS AS LISTED IN EXISTING THE DEVELOPMENT STANDARDS TABLE AND HEIGHT EXHIBIT. ALL OTHER USES SHALL BE RESTRICTED TO A MAXIMUM BUILDING HEIGHT OF 56 FEET. ALL HEIGHT EXHIBITS AND DEVELOPMENT STANDARDS SHALL BE UPDATED TO REFLECT THIS MODIFICATION.**
- k. **THE ACREAGE OF DEVELOPMENT UNIT 1 (VILLAGE CORE) SHALL BE INCREASED TO A MINIMUM OF 30 NET ACRES. THE DEVELOPMENT NARRATIVE, INCLUDING EXHIBITS AND LEGAL DESCRIPTIONS, SHALL BE UPDATED ACCORDINGLY.**

2. Prior to Preliminary Site Plan approval, a Pedestrian Circulation Plan for Development Unit 1 (Village Core) shall be provided. This plan shall demonstrate how pedestrians will connect to 63rd Avenue, Dobbins Road, required open space areas and Development Unit 2 through a network of dedicated pedestrian paths and a minimum of one Pedestrian Paseo. The Pedestrian Paseo shall provide continuous north to south connectivity from Dobbins Road to Development Unit 2. The Pedestrian Circulation Plan will be updated with each site plan amendment to demonstrate how pedestrian connectivity will be accomplished as the Village Core parcel develops, as approved by the Planning and Development Department and in compliance with the following standards:

- a. The Pedestrian Paseo shall be a minimum of 20 feet in width. Of the width, 10 feet shall remain completely free of any pedestrian impediments, including benches. The remaining 10 feet may be used for pedestrian friendly amenities or features, such as benches, tables and courtyards, etc.
  - b. A minimum of 10 feet of the Pedestrian Paseo shall be comprised of enhanced surfacing materials, such as stamped or colored concrete or other pavement treatments, that visually contrast with the adjacent parking and drive aisle surfaces shall be provided to delineate all areas where paseos cross drive aisles.
  - c. The Pedestrian Paseos shall be shaded at a minimum of 50% at maturity.
3. Prior to preliminary site plan approval of any and all development within Development Unit 1 South, the developer shall demonstrate how the following elements will be addressed as part of the subject submittal or as part of a future submittal or phase of the project, as approved by the Planning and Development Department.
  - a. A standalone EV Charging Demonstration Project with a minimum of eight Level 2 electric vehicle charging stations and two fast charging stations.
  - b. Construction of a minimum 10,000 square feet common open space location with a splash pad.
4. No permits for off-premise signs (billboards) will be issued until a certificate of occupancy for a sit down restaurant with a minimum 2,500 square feet of interior dining area and 1,000 square feet of outdoor dining area, and without a drive-through, is issued, as approved by the Planning and Development Department.
5. Prior to obtaining a permit for an off-premise sign (billboard), the developer and the City must agree to enter into an agreement wherein the developer will make five annual \$100,000 donations to the City of Phoenix Parks and Recreation Department to construct, operate, or maintain a City park within the Laveen Village area.
6. The developer shall dedicate 55 feet of right-of-way and construct the north side of Dobbins Road, per Cross Section Z-C Standards.
7. The developer shall dedicate and construct 63rd Avenue consistent with the approved Traffic impact Analysis.
8. Right-of-way improvements must be complete along the entire rezoning frontage during the first phase of development.
9. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact the Street Transportation Department to set up a meeting to discuss the requirements of the study. The TIS shall include signal warrant analysis of abutting and nearby intersections effected as part of this development. The developer shall be responsible for any additional dedications and cost of improvements as required by the approved Traffic Impact Study.

10. The developer shall be responsible for the installation of traffic signals and or escrow funds as identified in the approved Traffic Impact Analysis.
11. Existing irrigation facilities along any existing and or proposed right-of-way are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
12. 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.
13. 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.
14. If determined necessary by the Phoenix Archeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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.
17. **ALL SITE PLANS, ELEVATIONS AND PEDESTRIAN CIRCULATION PLANS WITHIN DEVELOPMENT UNIT 1 (VILLAGE CORE NORTH AND SOUTH) SHALL BE PRESENTED FOR REVIEW AND COMMENT TO THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO PRELIMINARY SITE PLAN REVIEW.**
18. **LEVEL 1 ELECTRIC VEHICLE (EV) CHARGING STATIONS SHALL BE PROVIDED FOR ALL MULTIFAMILY RESIDENTIAL DEVELOPMENTS AT A RATE OF 1 EV CHARGING STATION PER 500 SQUARE FEET OF INDOOR AMENITY SPACE OR EQUAL TO 2% OF THE RESIDENTIAL UNIT COUNT, WHICHEVER IS GREATER, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.**

VOTE (Z-35-21-7):

**7-1;** motion to recommend approval of Z-35-21-7 per the staff recommendation with stipulation modifications and additional stipulations, passes with Committee Members Barraza, Chiarelli, Ortega, Perrera, Rouse, Hurd and Abegg in favor. Committee

Member JoAnne Jensen dissented. Ms. Jensen explained that she does not support the additional stipulations proposed as these differed from some of the stipulations discussed with the applicant.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS**

None.



## Village Planning Committee Meeting Summary Z-35-21-7

<b>Date of VPC Meeting</b>	December 12, 2022
<b>Request From</b>	C-2 H-R SP (Approved C-2 or CP/GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP) and S-1 (Approved C-2/CP-GCP)
<b>Request To</b>	PUD
<b>Proposed Use</b>	Single-family, multifamily residential, retail, office, and commerce park uses
<b>Location</b>	Northeast corner of 63rd Avenue and Dobbins Road
<b>VPC Recommendation</b>	Continued to January 9, 2023
<b>VPC Vote</b>	10-0

### **VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*Item No. 9 (GPA-LV-3-21-7) and Item No. 10 (Z-35-21-7) are companion cases and were heard together.*

### **STAFF PRESENTATION:**

None.

### **APPLICANT PRESENTATION**

**Wendy Riddell**, representing the applicant with Berry Riddell, introduced herself and The Crossings at Dobbins PUD project. Ms. Riddell explained that due to a notification deficiency, she is requesting that both cases be continued to the next Laveen Village Planning Committee meeting for recommendation.

### **PUBLIC COMMENTS:**

None.

### **APPLICANT RESPONSE:**

None.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

None.

Z-35-21-7 MOTION:

**Jennifer Rouse** motioned to continue Z-35-21-7 to the January 9, 2023 Laveen Village Planning Committee meeting. **Francisco Barraza** seconded the motion.

Z-35-21-7 VOTE:

**10-0;** motion to recommend a continuance of Z-35-21-7 passes with Committee Members Barraza, Chiarelli, Hurd, Jensen, Ortega, Perrera, Rouse, Senters, Abegg and Glass in favor.

**STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS**

None.

**Village Planning Committee Meeting Summary**  
**INFORMATION ONLY**  
**Z-35-21-7**

<b>Date of VPC Meeting</b>	December 13, 2021
<b>Request From</b>	C-2 H-R SP (Approved C-2 or CP/GCP), C-2/CP-GCP SP (Approved C-2/CP-GCP), C-2 H-R (Approved C-2/CP-GCP) and S-1 (Approved C-2/CP-GCP)
<b>Request To</b>	PUD
<b>Proposed Use</b>	Single-family, multifamily residential, retail, office, and commerce park uses
<b>Location</b>	Northeast corner of 63rd Avenue and Dobbins Road

**VPC DISCUSSION:**

*This item was heard concurrently with Item No. 6 (GPA-LV-3-21-7). Please see discussion in Item No. 6.*

**Wendy Riddell**, representative with Berry Riddell, explained that the site is currently approved as Commercial and Commerce Park-General Commerce Park, as well as a High Rise designation and a Special Permit. The site was originally envisioned to be a hospital. She explained that they are requesting to amend the General Plan to extend the Mixed Use (Commercial and Commerce Park) designation so that the entire site can allow for a mix of uses, and that they are also creating a Village Core plan. He noted that the site is also located along the South Mountain Freeway Technology Corridor. She stated that the site would currently allow for 2,176 residential units, and that the proposal is to reduce this to 1,250 units. She added that there was some land that was condemned in 2019 when the freeway was constructed, which took up a lot of the original land area. She presented an exhibit that shows the nearby development proposals in context to the subject site. She then provided an overview of the proposed land uses in the PUD, which include restaurants, retail, offices, corporate campuses, and medical offices within the Village Core. Multifamily residential and single-family attached uses will also be permitted, but they will be townhomes developed for property ownership, and not rentals. She added that hotels and vertiports will also be permitted in the core. She stated that, through engagement with key stakeholders in the area, the applicant had agreed to prohibit self-storage uses to promote a walkable urban core environment. She noted that there are additional land use prohibitions in the development narrative, as well as restrictions on residential uses. **Ms. Riddell** explained that one of the goals of this proposal is to attract high tech employers, which requires some flexibility. As such, they are proposing a maximum height of 120 feet within the

village core, with some height step-back requirements along 63rd Avenue and Dobbins Road. She then outlined the design guidelines for the development, which are intended to promote the unique character of Laveen, as well as the open space requirements for the core area. She then explained the applicant's vision towards the future, and the proposal to allow urban air mobility transportation, subject to a use permit, which will promote the envisioned high technology environment. She added that the design requirements also include elements from the Dobbins Road Scenic Corridor Study, which will help further promote the unique character of Laveen along the street. She then summarized the permitted land uses in both Development Units, as well as some of the specific design guidelines for commercial and multifamily buildings, which include the incorporation of historically appropriate building materials. She also shared the design regulations for billboards, which will include these materials as well.

**Chair Tonya Glass** expressed appreciation for the proposal within the Village Core but also concern with the residential unit cap of 1,250 units. She stated that she will need to take a deeper dive into this matter. She also expressed concern that the stakeholder who have participated in this process may have been siloed and that the caveats for multifamily should be looked at carefully as it will impact the community. She stated that 1,200 units is still a significant amount.

**Vice Chair Linda Abegg** stated that there has been a lot of good work done on the development and design standards for the area within the Village Core, but that the rest of the development area has not been discussed. She expressed concern with the way the requirements for multifamily were written in and the lack of limits placed on how much of the land area can be developed as multifamily. She emphasized that this part of Laveen should be reserved for employment uses to ensure that a tech corridor is created. She also stated that, since this a new rezoning request, and not modifications of stipulations of existing entitlements, the applicant does not automatically have the rights to what was already approved on the site. She stated that the core looks nice, and so do the designs for the billboards, but that more work needs to be done to ensure that this development allows for a true employment corridor.

**Stephanie Hurd** expressed her wish for this to be 100 percent retail and employment, but that she realizes that this likely won't happen. She pointed out that there are many new multifamily projects already approved in the area, include a project with 500 units on the other side of the freeway, so she is concerned with the lack of specificity regarding the amount and height of the proposed residential. She then stated that the Laveen branding on the billboard is a great idea, as the area is lacking in this regard. She also praised the inclusion of the Dobbins Road Scenic Corridor elements. She added that, as much as she dislikes multifamily, she understands the need for it especially if large employers come to Laveen. She said that, if they have to be built, they should look nice and have good amenity packages.

**Vice Chair Abegg** stated that committee member Hurd and other members of the community have work diligently with this applicant to ensure that the design guidelines meet the intent of what they would like to see in Laveen. She encouraged all community members to reach out ahead of these meetings to work out concerns and modifications, as it has proven to be very effective.

## **PUBLIC COMMENT**

**Phil Hertel** expressed his support for this project, stating that it will be a good addition

to the Village Core and a better proposal for the area than the previously envisioned hospital.

**Dan Penton** expressed his support for the urban air mobility uses being proposed, stating that it will help reduce congestion and pollution, and will elevate Laveen as the first area in the city to allow this type of high-tech use, which is the exact intent of the tech corridor. He then expressed concern with the density, noting the hundreds of units already approved in the immediate vicinity.

**Stephanie Hurd** stated that the height of 120 feet will provide the flexibility for tech companies to at least look at this site as an option for them and will hopefully encourage them to come and build offices there. **Vice Chair Abegg** added that this is why the applicant had agreed to write in a requirement that the first tall building has to be an employment use, so that they don't end up with a hotel or senior living right away.