



## Village Planning Committee Meeting Summary Z-165-25-8

<b>Date of VPC Meeting</b>	April 13, 2026
<b>Request From</b>	GC
<b>Request To</b>	C-2
<b>Proposal</b>	General retail and restaurant
<b>Location</b>	Southwest corner of 55th Avenue and Southern Avenue
<b>VPC Recommendation</b>	Denied as filed, approved with modifications and an additional stipulation
<b>VPC Vote</b>	10-2

### VPC DISCUSSION:

*Item No. 3 (Z-157-25-8) and Item No. 4 (Z-165-25-8) were heard together.*

*Four members of the public registered to speak on these items.*

### Staff Presentation:

**Nayeli Sanchez Luna**, staff, presented an overview of Z-157-25-8. Ms. Sanchez Luna discussed the location of the site, the requested zoning designation, and the surrounding land uses. Ms. Sanchez Luna provided an overview of the proposed development including proposed uses and access. Ms. Sanchez Luna concluded the presentation by summarizing the staff findings, correspondence, and providing the staff recommendation and recommended stipulations.

### Applicant Presentation:

**Adam Baugh**, representing the applicant with Withey Morris Baugh, introduced himself and added that he had previously worked on the adjacent PUD. Mr. Baugh summarized the 2011 and 2025 agreements that limit the commercial uses on the subject site. Mr. Baugh displayed the original site plan and noted that the drive through was removed to accommodate the 2011 and 2025 agreements. Mr. Baugh stated that the proposed gas station would be required to return to present building elevations to the committee for review and comment. Mr. Baugh concluded his presentation by noting that the LCRD had provided a letter of support for the proposal and summarized the project benefits. Mr. Baugh noted that his presentation for Z-165-25-8 was very similar.

**Chair Stephanie Hurd** noted that she would like the applicant to present the

presentation for Z-165-25-8 since the cases were very similar and very close to one another. **Ms. Sanchez Luna** confirmed that both cases could be heard at the same time and asked if she should present the staff presentation for Z-165-25-8. **Chair Hurd** confirmed.

### **Staff Presentation:**

**Ms. Sanchez Luna** presented an overview of Z-165-25-8. Ms. Sanchez Luna discussed the location of the site, the requested zoning designation, and the surrounding land uses. Ms. Sanchez Luna provided an overview of the proposed development including proposed uses and access. Ms. Sanchez Luna concluded the presentation by summarizing the staff findings, correspondence, and providing the staff recommendation and recommended stipulations.

### **Applicant Presentation:**

**Adam Baugh** re-summarized the 2011 and 2025 agreements that limit the commercial uses on the subject site. Mr. Baugh displayed the original site plan and noted that the drive through was also removed to accommodate the agreements. Mr. Baugh displayed conceptual imagery of the proposed commercial uses and noted that they did not have any users for the site. Mr. Baugh concluded his presentation by noting that the LCRD had provided a letter of support and summarized the project benefits.

### **Questions From the Committee:**

**Micheal Doromal** stated that the agreements limited the possible uses on the site. Mr. Doromal noted the strong energy in the room and added that he was originally opposed to the gas station located on 35th Avenue and Baseline Road. Mr. Doromal added that despite being originally opposed, he constantly used the gas station. Mr. Doromal stated that the proposal would be a good addition to the area and that the conceptual elevations would look appealing.

**Kristi McCann** asked if the case would be stipulated to match the landscape plan provided in the presentation. **Mr. Baugh** stated that the plan displayed in the presentation was a colored rendering of the site plan and not the landscape plan. Mr. Baugh added that the landscape plan will be created during the development process. **Ms. McCann** added that she would like to add a stipulation requiring two-inch caliper trees on any street medians facing Southern Avenue. **Ms. Sanchez Luna** noted that the stipulation could be added but that the Street Transportation Department would provide comments on the added stipulation. **Mr. Baugh** stated that there was no objection. **Ms. McCann** asked if rezoning case Z-157-25-8 met the required parking standards. **Ms. Sanchez Luna** confirmed that both proposals met parking requirements.

**Ms. McCann** voiced her concerns regarding the sidewalks that would be built

alongside the proposed development and the future golf course development. Ms. McCann asked if all the sidewalks would be built out or if they would just stop after a certain development. **Mr. Baugh** stated that the PUD would require a sidewalk to be constructed along Southern Avenue, including the two rezoning areas presented today. **Ms. McCann** asked how long it would take for the sidewalks to be installed after City Council approval. **Mr. Baugh** added that the half street improvements must be completed prior to the construction of the sidewalks. **Ms. McCann** asked for a clear explanation. **Mr. Baugh** noted sidewalks would not be built until all the proposed roadways are completed and the half street improvements are completed. **Ms. McCann** asked for the standard timeline for construction after City Council approval. **Mr. Baugh** added that the development could only move as fast as the City reviews the proposal and improvements. Mr. Baugh stated that all roadway improvements are also part of the conditional approval of the PUD and this included a sidewalk on 59th Avenue as well. Mr. Baugh noted that they faced challenges when it came to the development of 59th Avenue. Mr. Baugh explained that they had to coordinate with SRP and the property owners on the west side of 59th Avenue to meet the street improvements requirements. Mr. Baugh added that right-of-way dedications have been established and after the approval, the plat map would be created which would allow for the construction of the golf course. **Ms. McCann** asked if the entire length of 59th Avenue would be developed with the same street development standards. **Mr. Baugh** confirmed.

**Ms. McCann** stated that numerous stipulations would require two-inch caliper trees and asked if that could be modified to match the development proposed on 59th Avenue and Baseline Road. **Mr. Baugh** voiced his confusion. **Ms. Sanchez Luna** stated that the proposed restaurant on Baseline Road proposed 50% two-inch caliper trees and 50% three-inch caliper trees. Ms. Sanchez Luna noted that street frontages would have a mixture of two, three, and four-inch trees per the Zoning Ordinance. **Mr. Baugh** stated that they were not opposed to the changes. **Ms. McCann** added that she wanted the developments to be consistent. **Vice Chair JoAnne Jensen** stated that an arborist had attended a previous meeting and explained that two-inch caliper trees have a better chance of rooting properly. **Ms. McCann** stated she was aware of the arborist but other City development always requires larger caliper trees.

**Ms. McCann** asked for the community meeting date for Z-165-25-8. **Mr. Baugh** noted that it was in October of 2025, and that both rezoning cases were presented during the neighborhood meeting.

**Ms. McCann** stated that the proposed residential development impacts the private street of Cottonfields Lane and asked why the developer hadn't proposed access to their community through their own land so not to impede the private entrance to the existing community. **Mr. Baugh** explained that the proposed residential development could only be accessed by Cottonfields Lane and that the access had been approved by the community and the homeowner's association. Mr. Baugh noted that they will be building a new gate and have paid the fee to the homeowner's association to utilize the same private road. Mr. Baugh added that all agreements have been finalized and

recorded.

**Ms. McCann** asked if the residents of Sierra Colina knew that their local street would be used to access the proposed development on 55th Avenue and Southern Avenue. **Chair Hurd** asked if the proposal had access to Southern Avenue. **Mr. Baugh** noted that they had right-in and right-out access off Southern Avenue but that the 55th Avenue access would not encourage traffic to move south. **Rebecca Perrera** voiced her disagreement and noted the QuickTrip on 67th Avenue and Baseline Road. Mr. Perrera noted that the same issue occurred at this location, but it was not as severe as people expected.

**Ms. McCann** noted the proposed traffic light and stated that the proposed golf course development would be required to pay a minimum of 25 percent. Ms. McCann discussed concerns with traffic safety and how the traffic signal would impact safety. **Chair Hurd** added that the traffic signal was out of the committee's control. **Mr. Baugh** stated that the proposed traffic signal would benefit the community. **Ms. McCann** voiced her concerns on how the adjacent neighbors would be affected.

**Linda Abegg** asked if the TIA would have some sort of deadline or expiration date. **Mr. Baugh** stated that the TIA is tied to the site plan and if the site plan expires, then an updated TIA would be required. **Ms. Abegg** stated that she appreciated the conceptual building renderings and noted that the landscape requirements could be updated during the motion. Ms. Abegg noted that C-1 (Neighborhood Retail) seemed to meet the intent of the proposal and asked if the applicant would be willing to consider C-1 rather than C-2. Ms. Abegg added that the C-1 zoning designation would provide a better buffer for the future and existing residential development. **Mr. Baugh** noted that he would provide a response after everyone had spoken.

**Jennifer Rouse** voiced her concerns regarding traffic on 55th Avenue and Southern Avenue. Ms. Rouse noted that scalloped streets will cause a lot of safety issues. Ms. Rouse added that sidewalks are very important and that kids will need safe ways to get to the future commercial developments. Ms. Rouse stated that she also remembered what the arborist had stated regarding large caliper trees. Ms. Rouse noted that she was glad that the old structure would be removed due to an increase in loitering and graffiti. Ms. Rouse stated that she understood the concerns regarding the proposed gas station but added that it would be beneficial to the community and that she would like to include the lighting plan in the review and comment stipulation. **Mr. Baugh** stated that the only way that the traffic signal was able to work was because the two commercial parcels and the PUD development were considered as one project.

**Ms. Abegg** noted the issues with loitering and crime on 51st Avenue and Baseline Road and asked for the business model of the proposed Break Time gas station. **Mr. Baugh** stated that cameras would be located on all sides of the building and that hourly walks would be conducted to discourage loitering. Mr. Baugh added that certain vegetation would be included in the development to reduce the possibility of camping.

Mr. Baugh noted that Break Time will not be selling single-serve liquor bottles and will have locks on water spickets. **Ms. Abegg** asked if the hourly walk would be conducted by an employee or a security guard. **Mr. Baugh** stated that it would be conducted by an employee.

**Ms. Perrera** noted that there have been occasions where projects propose odd signages and would recommend adding the signage plan to the review and comment stipulation.

**Patrick Nasser-Taylor** agreed with Committee Member Abegg's comments and asked if the hourly walks were a standard policy. **Mr. Baugh** confirmed. **Mr. Nasser-Taylor** stated that he had looked into the proposed Break Time gas stations and stated that they do seem to adapt to their surroundings, which is always appreciated in Laveen. Mr. Nasser-Taylor asked if walls would be built around each development. **Mr. Baugh** noted that the only walls on site would be those from the abutting residential development perimeter. **Mr. Nasser-Taylor** stated that the agreement limited several options including no drive throughs. **Mr. Baugh** clarified that the language prohibited carry-out food. **Mr. Nasser-Taylor** asked if this would mean that Subway would not be permitted. **Mr. Baugh** added that he was not sure of the exact intent of the language because most businesses allow you to carry out food. **Mr. Nasser-Taylor** asked why an EV stipulation was not provided on the 59th Avenue and Southern Avenue location. **Mr. Baugh** noted that the proposed gas station does not accommodate electric vehicle charging.

**Mixen Rubio-Raffin** noted that Z-165-25-8 had a little piece of sidewalk that jetted out and asked why the sidewalk was built in that manner. **Mr. Baugh** stated that the sidewalk was built to go around the gate. **Ms. McCann** noted that it already exists. **Ms. Rubio-Raffin** stated that based on the 2011 agreement, it would be difficult to have delivery services or take out services such as Uber Eats or Doordash. Ms. Rubio-Raffin asked if there would be negotiations to allow for these uses. **Mr. Baugh** noted that he could not provide information on how that would occur. Mr. Baugh did state that the updated 2025 agreement has been approved by the homeowner's association and has been recorded. **Ms. Rubio-Raffin** asked if the Break Time gas station would be selling tobacco products since that would be prohibited in the agreement. **Mr. Baugh** noted that tobacco products as a stand-alone business would be prohibited but that tobacco sales at a gas station would not.

**Carlos Ortega** asked if the proposed development would take any land away from the existing golf course. **Mr. Baugh** stated that they will not be taking any land from the PUD. **Mr. Ortega** asked if the existing Cottonfields signage belongs to the homeowner's association or the new property owner. **Mr. Baugh** confirmed that that would still belong to the homeowner's association. Mr. Baugh added that they will be updating the gate and updating the design according to the homeowner's association guidance. **Mr. Ortega** asked why two convenience stores would be located on one site. **Mr. Baugh** voiced his confusion. **Chair Hurd** clarified that Break Time would be the proposed gas station. **Mr. Baugh** added that there was no proposed user for the

commercial pad along Southern Avenue.

**Andre Serrette** asked how 59th Avenue would look like after everything is constructed and dedicated. **Alan Beaudoin**, with the applicant's team, stated that both 59th Avenue and Southern Avenue would have a median. Mr. Beaudoin noted that 59th Avenue would consist of four lanes, two on each side with a center median lane.

### **Public Comment:**

**Yolanda Gutierrez** noted that there had been a lot of discussion regarding the right-of-way dedication on 59th Avenue but that the community's main concern is when the golf course would be fixed. Ms. Gutierrez added that the applicant has made many promises but that the golf course is still just dirt and weeds. Ms. Gutierrez stated that her interpretation of the agreement meant that gas stations like the one proposed would not be allowed since they have food that can be carried out. Ms. Gutierrez voiced her concerns regarding accidents on Southern Avenue.

**Patrice Herring** stated that she was a homeowner in the community for over 23 years. Ms. Herring voiced her displeasure with the golf course due to the amount of weeds, vandalism and the lack of work done to revitalize it. Ms. Herring noted that when she moved into the neighborhood, there were vast views and open fields and that she was opposed to a gas station that would promote crime, traffic, and loitering. Ms. Herring added that the property was illegally sold to the current property owner and noted that she would rather see a fire station or police substation at these locations. Ms. Herring reiterated her opposition to the gas station.

**Warren Foster** noted that the only reason he bought his house was because of the golf course. Mr. Foster added that once Costco builds a gas station in Laveen, no one would use this proposed gas station. Mr. Foster noted that he was tired of restaurants in Laveen and typically went to other cities for good quality meals. Mr. Foster voiced concerns about the lack of development to revitalize the golf course.

**Phil Hertel** stated that the proposal would serve many drivers in the adjacent neighborhoods, thus resulting in less traffic at the gas station located on 51st Avenue and Southern Avenue. Mr. Hertel added that the proposal was not a Circle K and that the company policies allow for better services that would prevent loitering and crime.

### **Applicant Response:**

**Co-Vice Chair Jensen** asked the applicant to explain why the interactions with streets have kept the developer from revitalizing the golf course. **Mr. Baugh** noted that there had to be a lot of collaboration with SRP and the adjacent property owners in order to reach an agreement regarding the 59th Avenue dedications. Mr. Baugh stated that that hurdle has caused a delay in the revitalization but that the documents are now with the City and are awaiting approval. Mr. Baugh noted that some items are out of the developer's hands and that they are doing everything possible to get the golf

course up and running. **Co-Vice Chair Jensen** noted that it was like a stair step. **Mr. Baugh** agreed and stated that the houses would not be built until the golf course is completed.

**Ms. Perrera** asked if the collaboration had reached a solution. **Mr. Baugh** confirmed. **Ms. Perrera** asked for time frame for the golf course. **Mr. Ortega** stated that the applicant needed to face the public and answer their questions and ensure that the golf course be built. **Mr. Beaudoin** stated that due to the issues on 59th Avenue, they had suffered a four-month delay. Mr. Beaudoin added that all final dedications needed to be approved by SPR before being presented to the City. Mr. Beaudoin noted that it would be an eight-to-ten-week process while the right-of-way is reviewed and accepted by the City, then another six to eight weeks for the approval of roadway design. **Ms. Perrera** asked if there would be some movement on development in the upcoming months. **Mr. Baugh** stated that once the plat is approved, they could move forward with construction.

#### **Committee Discussion:**

**Co-Vice Chair Francisco Barraza** thanked the applicant for the explanation of the process and noted that sometimes roadblocks can delay a project.

**Co-Vice Chair Jensen** echoed Co-Vice Chair Barraza's comments and thanked the applicant for being patient and explaining it to the committee and community. Co-Vice Chair Jensen stated that she was impressed by the array of questions and agreed that she would like to have the elevations, landscape plan, signage and lighting to come back to the committee for recommendation. Co-Vice Chair stated that the uses are appropriate considering the surrounding land uses and that it would be good for the community. Co-Vice Chair Jensen noted that she reviewed the General Plan Land Use Map and the proposed Centers and noted that the proposed uses would support the future Centers. Co-Vice Chair Jensen stated that she appreciated everyone's comments and dedication but noted that change is inevitable.

**Chair Hurd** voiced her concerns regarding the number of weeds on the site. **Mr. Baugh** apologized and stated that they would be taking care of the problem. **Chair Hurd** stated that traffic is horrible within the Laveen Village, so she agreed that street design is important. Chair Hurd added that she would like the elevations, signage, lighting, and landscape plan return to the committee. **Ms. Abegg** noted that she would like it to return through the PHO process. **Ms. Sanchez Luna** voiced her concern regarding the adopted House Bill that discouraged design review to occur through a public hearing process. **Ms. Abegg** asked if they could still have stipulations regarding elevations. **Ms. Sanchez Luna** confirmed. **Ms. Abegg** stated that the committee could recommend denial if elevations are not provided. **Ms. Sanchez Luna** stated that that was up to the committee.

**Mr. Baugh** noted that the property owners would be agreeable to moving forward with a C-1 zoning designation.

**Ms. Abegg** stated that she would like to recommend denial and recommend the approval of C-1. Ms. Abegg stated that she understood the committee's concerns but noted that they couldn't limit the allowed uses on the site. Ms. Abegg added that if the site allowed a restaurant user, they could not prevent one restaurant over another. Ms. Abegg added that the property owner does have rights.

**Chair Hurd** asked if the applicant was planning on selling the light. **Mr. Baugh** stated that Break Time would be the property owners. **Chair Hurd** announced that the committee does not review agreements between developers and the homeowner's association.

**Ms. Perrera** recommended Break Time go to the homeowner's association meeting and discuss business policy to create a strong relationship in the area.

**Motion:**

**Linda Abegg** motioned to recommend denial of Z-165-25-8 and approve as C-1 with modifications to Stipulation Nos. 2, 4, 7, and 13 regarding landscaping and plans presented to the committee for review and comment and the following additional stipulation:

- Street medians along Southern Avenue shall be planted within minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees.

**Jennifer Rouse** seconded the motion.

**Vote:**

**10-2**, motion to recommend denial of Z-165-25-8 and approve as C-1 with modifications to Stipulation Nos. 2, 4, 7, and 13 regarding landscaping and plans presented to the committee for review and comment and an additional stipulation passed with Committee Members Abegg, Doromal, Nasser-Taylor, Ortega, Perrera, Rouse, Serrette, Barraza, Jensen, and Hurd in favor and Committee Members McCann and Rubio-Raffin in opposition.

**Recommended Stipulations:**

1. The development shall be in general conformance with the site plan date stamped March 19, 2026, as modified by the following stipulations and approved by the Planning and Development Department.
2. Building elevations, **LANDSCAPE PLAN, SIGN PLAN, AND LIGHTING PLAN** shall be presented for review and comment to the Laveen Village Planning Committee prior to preliminary site plan approval.
3. All street facing building elevations shall contain architectural features that reflect modern agrarian architecture including, but not limited to, detailing such as pitched roof elements, variation in window size, overhang canopies and exterior accent materials such as metal, wood, and stone, as approved by the Planning

and Development Department.

4. The required perimeter landscape setbacks, not adjacent to a street, shall be planted with a minimum **50%** 2-inch caliper trees **AND 50% 3-INCH CALIPER TREES**, as approved by the Planning and Development Department.
5. A pedestrian pathway shall be provided along Cottonfields Lane to connect the proposed commercial development to the sidewalk, as approved by the Planning and Development Department and if approval is granted by the adjacent Homeowners Association (owner of the private street/tract).
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. A minimum of 15% of uncovered surface parking lot areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper **OR 3-INCH CALIPER**, drought tolerant, shade trees, or a combination thereof.
8. Bicycle parking shall be provided, consistent with Section 1307.H of the Phoenix Zoning Ordinance.
9. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
10. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the City of Phoenix Businesses Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
11. A minimum of 10% of the required vehicle parking spaces shall include EV Ready infrastructure.
12. The south half of Southern Avenue shall be constructed to an Arterial CM cross-section, adjacent to the development.
13. A minimum 6-foot-wide detached sidewalk separated by a minimum 6-foot-wide landscape area shall be constructed on the south side of Southern Avenue, and planted as follows:

- a. Minimum **50% 2-inch caliper AND 50% 3-INCH CALIPER**, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings.
- b. Drought-tolerant shrubs, accents and vegetative groundcovers maintained to a maximum height of 3 feet (excluding accents), evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

**14. STREET MEDIANS ALONG SOUTHERN AVENUE SHALL BE PLANTED WITH MINIMUM 2-INCH CALIPER SINGLE-TRUNK, LARGE CANOPY, DROUGHT-TOLERANT, SHADE TREES.**

- ~~14.~~ Prior to final site plan approval, all mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated September 26, 2025.
- ~~15.~~
- ~~15.~~ Existing irrigation facilities along Southern Avenue shall be relocated outside of City right-of-way, unless otherwise approved by the Street Transportation Department. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
- ~~16.~~
- ~~16.~~ Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
- ~~17.~~
- ~~17.~~ All streets within and adjacent to the development shall be constructed 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.
- ~~18.~~
- ~~18.~~ If determined necessary by the Phoenix Archaeology 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 Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- ~~19.~~
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- ~~19.~~
- ~~20.~~ If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- ~~20.~~

- ~~20.~~ In the event archaeological materials are encountered during construction, the  
21. 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.
- ~~24.~~ Prior to final site plan approval, the landowner shall execute a Proposition 207  
22. waiver of claims form. 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.

**Staff comments regarding VPC Recommendation:**

The Street Transportation Department recommends modifying Stipulation No. 14 to  
allow tree placement flexibility within the median, as shown below:

14. STREET MEDIANS ALONG SOUTHERN AVENUE SHALL BE PLANTED WITH  
MINIMUM 2-INCH CALIPER SINGLE-TRUNK, LARGE CANOPY, DROUGHT-  
TOLERANT, SHADE TREES-, **OR AS APPROVED BY THE STREET  
TRANSPORTATION DEPARTMENT.**