



Village Planning Committee Meeting Summary

Z-75-22-8

Date of VPC Meeting	February 13, 2023
Request From	S-1, S-1 (Approved R1-10 PCD), and S-1 (Approved C-2 PCD)
Request To	C-1
Proposed Use	Multifamily residential
Location	Southwest corner of 51st Avenue and Elliot Road
VPC Recommendation	Approval, per the staff recommendation with a modification and an additional stipulation
VPC Vote	7-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Eight members of the public registered to speak on this item. Six of the members donated their time.

STAFF PRESENTATION:

Enrique Bojórquez, staff, provided an overview of the rezoning proposal, describing the location of the request, the existing and proposed zoning districts and land use designation. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez discussed the proposal, including the site plan and elevations, noting that staff does not recommend general conformance to the site plan as it requires revisions. Mr. Bojórquez stated that staff did receive one letter of opposition regarding this request. Mr. Bojórquez provided staff findings, followed by the staff recommendation of approval, and discussed the stipulations as presented in the staff report for case Z-75-22-8. Mr. Bojórquez stated there was a typo in Stipulation No. 5 and suggested that this stipulation be corrected if the proposal is recommended for approval.

APPLICANT PRESENTATION:

Ben Tate, representing the applicant with Withey Morris PLC., introduced himself and the proposed project. Mr. Tate described the location of the site and existing zoning on the site and surrounding area. Mr. Tate discussed previous versions and current version of the building renderings and site plan. Mr. Tate added that a final version of the site plan is still being finalized as their team workouts the ingress and egress to the

site with the Street Transportation Department. Mr. Tate discussed the amenities that will be provided in each of the units and common areas throughout the site. Mr. Tate provided a summary of the public outreach conducted and project benefits. Mr. Tate concluded the presentation by requesting a recommendation of approval.

QUESTIONS FROM COMMITTEE:

Rebecca Perrera liked the additional open space on the latest site plan shown by the applicant and asked for clarification on the building elevations proposed.

Mr. Tate clarified and discussed the conceptual building elevations (renderings) proposed. **Ms. Perrera** stated that the second elevation proposed could use more color.

Carlos Ortega asked for clarification on the amount of open space being provided, noting that 10 percent open space is not significant particularly for families.

JoAnne Jensen asked for clarification on the street access.

Dean Chiarelli asked if the proposed units will be rentals or owner-occupied.

PUBLIC COMMENTS:

Dan Penton stated that the LCRD reviewed this development and has questions about the street access. Mr. Penton stated that this site has historic context and asked for homage to be paid to this history by having unique elements such as a silo at the main entry, as this element is significant of the era. Mr. Penton suggested that it would also be great if the name of the project could be changed to Barney Ranch given the history. Mr. Penton supports the project but wants to see window framing on the building elevations. Mr. Penton is overall satisfied with this project. **Chair Abegg** added that in the past, black window frames have been used in other projects.

APPLICANT RESPONSE:

Mr. Tate stated that 20 percent open space is not achievable on a horizontal product as proposed, adding that each dwelling unit will have a rear yard as well for additional space. Mr. Tate stated that access is a challenge to the site due to the proximity to the intersection, but their team is continuing to work with the Street Transportation Department regarding the access. Mr. Tate stated that this project will be for rental units and the applicant is open to monumentation and changing the name on the project.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

Chair Abegg asked the applicant if black paint could be considered around the window frames. **Mr. Tate** responded that his team would be open to this suggestion but need additional time to investigate this.

Chair Abegg asked if there is a stipulation that addresses a certain percentage of material for the building elevations and why staff does not require general conformance to the proposed site plan. **Mr. Bojórquez** responded that the applicant is still working

with the Street Transportation Department to address their site access, which could impact the layout of the development. Mr. Bojórquez responded the initial site plan submitted with this rezoning application needed to be revised to meet minimum development standards, noting the landscape setbacks along the street frontages. Mr. Bojórquez added that Stipulation No. 1 limits the maximum density on the site.

Chair Abegg asked if there is a stipulation that requires a minimum percentage of open space on the site. **Mr. Bojórquez** responded that there is no stipulation in the staff report requiring this.

Carlos Ortega asked if the name of the development could be legally required. Mr. Ortega asked if the committee should add an additional stipulation requiring the review of building elevations in a future meeting. **Chair Abegg** asked if the committee could stipulate general conformance to the building renderings shown by the applicant. **Mr. Bojórquez** responded that staff does not recommend stipulating general conformance to building renderings as these often lack details, but the renderings shown by the applicant are meant to be representative of the building elevations presented to the committee and addressed in Stipulation No. 2. **Chair Abegg** feels comfortable with leaving the stipulation as is given that the elevations contain some nice elements.

Chair Abegg asked for a motion on the case.

MOTION (Z-75-22-8):

Carlos Ortega motioned to approve Z-75-22-8 per the staff recommendation with a modification to Stipulation Nos. 5 and additional stipulation. **JoAnne Jensen** seconded the motion.

Modified Stipulation:

5. Perimeter walls, ~~perimeter~~ surrounding the development, along 51st Avenue and Elliot Road, shall be a minimum of 50% open, as approved by the Planning and Development Department.

Additional Stipulation:

28. A minimum of 10% of the gross project area shall be retained as open space, as approved by the Planning and Development Department.

VOTE (Z-75-22-8):

7-0; motion to recommend approval of Z-75-22-8 per the staff recommendation with a stipulation modification and an additional stipulation, passes with Committee Members Barraza, Chiarelli, Jensen, Ortega, Perrera, Hurd and Abegg in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS

The following stipulations reflect all of the stipulations approved at the February 13, 2023 Laveen Village Planning Committee meeting on case Z-75-22-8:

1. The maximum density for the project shall not exceed 10 dwelling units per gross acre.
2. The development shall be in general conformance with the building elevations date stamped February 3, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
3. All required landscape setbacks shall be planted with minimum 50% 2-inch caliper, and minimum 50% 3-inch caliper large canopy, drought-tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
4. The primary vehicular entrance to the development shall include the following elements, as approved by the Planning and Development Department:
 - a. Pedestrian pathways connecting the interior of the development to the public sidewalks along both sides of the vehicular driveway.
 - b. The pedestrian pathways shall be detached from the vehicular driveway and lined with landscape areas on both sides of not less than 5 feet wide. The landscape area shall be planted with drought-tolerant plant materials providing seasonal interest and 75% live cover.
 - c. A mix of ornamental trees (no less than 2-inch caliper), shrubs (no less than five, five-gallon shrubs per tree) and flower beds that will provide a variety of texture and color throughout the year and 75% live cover, shall be provided along both sides of the entryway and within a landscaped median of no less than 5 feet.
 - d. The driveway surface shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces.
5. Perimeter walls, ~~perimeter~~ surrounding the development, along 51st Avenue and Elliot Road, shall be a minimum of 50% open, as approved by the Planning and Development Department.
6. A minimum of 10% of the required shrubs, shall be a milkweed or other native nectar species, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
7. All uncovered surface parking lot areas shall be landscaped with a minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
8. The bus stop pad adjacent to the development shall be shaded a minimum of 50% using drought-tolerant shade trees at maturity and/or a shade structure, as

approved by the Planning and Development Department.

9. A minimum of one pedestrian pathway shall be provided within close proximity to the intersection of 51st Avenue and Elliot Road, as approved by the Planning and Development Department.
10. 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 contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
11. The developer shall provide traffic calming measures at all vehicular points of ingress and egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
12. A minimum of 30 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located throughout the site including near the centralized open space and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
13. The developer shall construct a bus stop pad on southbound 51st Avenue in accordance with City of Phoenix Standard Detail P1260 with a depth of 10 feet and located from Elliot Road according to City of Phoenix Standard Detail P1258, as approved by the Planning and Development Department.
14. Public sidewalks adjacent to the development shall be shaded a minimum of 75%, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
15. The developer shall construct detached sidewalks along 51st Avenue and Elliot Road, as required by the Tierra Montana Master Street Plan, as approved by the Planning and Development Department.
16. The developer shall dedicate right-of-way and construct improvements along the south side of Elliot Road as required by the Tierra Montana Master Street Plan, as approved by the Planning and Development Department.
17. The developer shall dedicate right-of-way and construct improvements along the west side of 51st Avenue as required by the Tierra Montana Master Street Plan, as approved by the Planning and Development Department.
18. Access control for the site shall follow the approved Tierra Montana Master Street Plan or as approved by the Street Transportation Department.
19. The developer shall construct the median along Elliot Road as required by the Tierra Montana Master Street Plan from 52nd Drive to the western limits of APN 300-02-046R including appropriate tapers, as approved by the Street

Transportation Department.

20. The developer shall submit a Traffic Impact Statement including a signal warrant analysis for this development. No preliminary approval of plans shall be granted until the statement has been reviewed and approved by the city. The developer shall be responsible for cost and construction of a traffic signal or if a traffic signal is not warranted upon opening, the developer will be required to provide 25% contribution toward a traffic signal in an escrow account to the Street Transportation Department, as required by the approved Traffic Impact Statement.
21. The developer shall provide conduit and junction boxes at the southwest corner of 51st Avenue and Elliott. The plans shall be submitted and approved by the Street Transportation and Planning and Development Departments.
22. Existing irrigation facilities along 51st Avenue 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.
23. 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.
24. A qualified historian, architectural historian or cultural resource firm shall document the history of Barney Ranch within one year of rezoning approval in accordance with Part IV of the Arizona Reporting Standards for Cultural Resources, as approved by the Historic Preservation Office.
25. The property owner shall record documents that disclose the existence and operational characteristics of Phoenix Sky Harbor 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.
26. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
27. 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.
28. A MINIMUM OF 10% OF THE GROSS PROJECT AREA SHALL BE RETAINED AS OPEN SPACE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

Village Planning Committee Meeting Summary
Z-75-22-8
INFORMATION ONLY

Date of VPC Meeting	January 9, 2023
Request From	S-1, S-1 (Approved R1-10 PCD), and S-1 (Approved C-1 PCD)
Request To	C-1
Proposed Use	Multifamily Residential
Location	Southwest corner of 51st Avenue and Elliot Road

VPC DISCUSSION:

Item No. 8 (Z-75-22-8), Item No. 9 (GPA-LV-4-22-8), Item No. 10 (Z-72-22-8), Item No. 11 (GPA-LV-5-22-7), and Item No. 12 (Z-73-22-7) were heard together.

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

APPLICANT PRESENTATION:

Jason Morris, representing the applicant with Withey Morris PLC, introduced himself and the three proposed projects by IDM. Mr. Morris stated that he will provide a combined presentation for agenda items 8 through 12. Mr. Morris provided an overview of IDM, describing the Columbia Tech Center, which is owned by IDM. Mr. Morris then introduced Item No. 8 (Z-75-22-8), by the name of Curato, describing the site location, changes made to the site plan and elevations, and the proposed site plan plus elevations. Mr. Morris stated that 171 dwelling units are now proposed, with the primary access along Elliot Road. Mr. Morris described the proposed building elevations, renderings, site amenities, and housing plus retail trends in the area. Mr. Morris concluded by listing various project benefits. Mr. Morris then introduced Item Nos. 9 (GPA-LV-4-22-8) and 10 (Z-72-22-8), by the name of Acero Laveen, describing the site location, development units, site plans, renderings, landscape concepts, common tenants in commerce parks, proposed buffering, traffic circulation, and referenced other developments. Mr. Morris described site amenities proposed in Development Unit 2, housing trends, and off-premise signage. Mr. Morris concluded by listing various project benefits. Mr. Morris then introduced Item Nos. 11 (GPA-LV-5-22-7) and 12 (Z-73-22-7), by the name of Envision Dobbins 202 West, describing the site location and how this development furthers the Loop 202 technology corridor.

Mr. Morris described the site plan, project phases, renderings, common tenants in commerce parks, and provided an example of a common distribution facility. Mr. Morris stated that there are performance criteria for distribution facilities embedded in the proposed PUD Narrative. Mr. Morris described the project benefits and concluded by summarizing the outreach conducted on these cases.

QUESTIONS FROM COMMITTEE:

None.

PUBLIC COMMENTS:

Dan Penton stated that on case Z-75-22-8, staff was not in favor of the initial multifamily zoning proposed there. Mr. Penton discussed multifamily projects in the area and has concerns with the buildings proposed on case Z-72-22-8 due to the height, scale, and lack of commercial uses. Mr. Penton stated that the frontage along 59th Avenue that is proposed looks bad due to the building locations. Mr. Penton discussed a bicycle way and improving connectivity on the site. Mr. Penton has concerns with the proposed

Phil Hertel registered to speak on these items but was disconnected during public comment portion.

APPLICANT RESPONSE:

None.

COMMITTEE DISCUSSION:

Carlos Ortega stated that too many projects are being presented at one time by the applicant and feels overwhelmed. Mr. Ortega would like for applicants to present their projects individually instead.

Rebecca Perrera would like to see refinement in the building elevations and became confused by the numerous projects discussed at one time.

Chair Abegg would like to see more details on each case and is not supportive of distribution facilities as primary uses permitted in sites. Chair Abegg would like to see a stipulation reserving a grocery store location in the area.

Mr. Morris responded that he would gladly present these cases separately in the future.