



Village Planning Committee Meeting Summary Z-14-A-20-2

Date of VPC Meeting	November 6, 2023
Request From	PUD
Request To	PUD
Proposal	Major PUD Amendment to the Kierland Sky PUD to allow commercial and multifamily residential uses
Location	Southeast corner of Kierland Boulevard and Marilyn Road
VPC Recommendation	Approval per staff recommendation
VPC Vote	13-0

VPC DISCUSSION:

Cases Z-14-A-20-2 and GPA-PV-1-22-2 are companion cases and were heard concurrently.

No members of the public registered to speak in support or in opposition to this item.

Staff Presentation:

Mr. Zambrano, staff, provided an overview of rezoning case Z-14-A-20-2, describing the location, request, surrounding land uses and zoning, and proposed General Plan Land Use Map designation. Mr. Zambrano then described the proposal, discussing the proposed site plan and elevations. Mr. Zambrano noted that staff received one letter in support of the project. Mr. Zambrano concluded by sharing the staff findings, recommendation of approval and the recommended stipulations.

Applicant Presentation:

Larry Lazarus, representative with Lazarus & Silvyn, P.C., introduced himself and his team. Mr. Lazarus stated that they have spent a significant amount of time working with the community, noting that a letter of support from the Kierland Community Alliance (KCA) was provided. Mr. Lazarus summarized changes made to the project through collaboration with the community. Mr. Lazarus added that funding will be provided to the Street Transportation Department for traffic mitigation measures within one mile of the site. Mr. Lazarus stated that the project would consist of two phases, with the north building being constructed first, and the two buildings on the south being constructed second. Mr. Lazarus stated that all parking will be located underground, except some

spaces on the grade level for potential retail. Mr. Lazarus noted that the buildings are set back from Kierland Boulevard. Mr. Lazarus added that the driveways were designed to direct traffic away from the neighborhood to the southwest and that the anticipated traffic is less than the previous office proposal.

Questions from the Committee:

Diane Petersen asked if outdoor live music is prohibited on rooftops. **Mr. Lazarus** responded that outdoor live music would be prohibited everywhere on the site. Mr. Lazarus added that any other outdoor music would only be allowed a maximum noise level of 55 decibels. **Ms. Petersen** stated that the KCA contracted an independent traffic engineering firm to study the traffic in the area and the study found that 43 percent of the traffic in the neighborhood is cut-through traffic, which does not include any proposed developments that have not been constructed yet. Ms. Petersen expressed concerns with traffic and appreciated the applicant's efforts to help mitigate traffic in the neighborhood. Ms. Petersen added that only 25 percent of vehicles adhere to the stop signs located at 68th Street and Hearn Road and 69th Street and Hearn Road, while the others speed through the stop signs. Ms. Petersen stated that traffic is a very important issue to the residents to the south and to the KCA. **Mr. Lazarus** responded that one of the traffic mitigation provisions is for a High Intensity Activated Crosswalk (HAWK) signal at the intersection of Kierland Boulevard and Acoma Drive and getting traffic to move north and east of the site as much as possible. Mr. Lazarus stated that the traffic mitigation agreement is recorded and would involve working with the KCA to determine how the money is used once their independent traffic study is completed.

Chair Popovic asked how many levels of underground parking are proposed. **Calvin Cangco**, representative with Shepley Bulfinch Architects, responded that it would be two levels of underground parking.

Mr. Lazarus stated that this proposed development is very different than what is usually seen, noting that it would be constructed of concrete, that the parking would be underground, and that the units would be condominiums.

Karen DeMoss asked who would decide if there would be a traffic signal located at the intersection of Acoma Drive and Kierland Boulevard. **Mr. Lazarus** responded that they will be working with the KCA, and the City of Phoenix Street Transportation Department, and they will provide the funding for it to be installed when both organizations feel it is appropriate.

Public Comments:

Brandon Finnie introduced himself as a resident west of the proposed development and asked how much retail is proposed and what the expected uses are for retail.

Applicant Response:

Mr. Lazarus responded that there would be flexible ground-level spaces that could be used for retail, noting that one idea was for there to be ground-level workspaces as an amenity for residents, rather than retail.

Mr. Cangco stated that all the spaces would face the focal garden, including around 9,000 square feet in Building 1, around 4,000 square feet in Building 2, and around 3,000 square feet in Building 3.

Discussion:

Ms. Petersen asked if the parking for retail uses would be underground. **Mr. Lazarus** responded affirmatively, noting that there is some parking as well on the grade level.

Chair Popovic asked if the majority of the parking would be underground. **Mr. Lazarus** responded affirmatively.

Ms. Petersen asked if the underground parking would be restricted to residents. **Mr. Lazarus** responded that it would mostly be restricted to residents, and there may be some common parking areas underground as well. **Ms. Petersen** asked for clarification where a customer for a retail use would park. **Mr. Lazarus** responded that they would park on the grade level and that there may be an opportunity for some retail parking underground on the first level.

Mr. Cangco stated that the majority of the street parking is along the drives.

Ana Bustamante asked for clarification where customers would park if there were retail. **Mr. Lazarus** responded that there would be parking on the interior streets of the development.

Ms. Petersen stated that the KCA was concerned about a lack of electric vehicle (EV) charging stations. **Mr. Lazarus** responded there is a requirement for a minimum of 10 percent of the required parking spaces to include EV chargers.

Mr. Finnie asked for clarification that the retail spaces would be mainly for residents rather than restaurants or shopping for the community. **Mr. Lazarus** responded that there could be a small coffee shop. Mr. Lazarus added that the Kierland Master Association (KMA) did not want any large retail or national branded retail around this area. **Mr. Finnie** asked for clarification that all the units would be condominiums for sale and would not be rentals. **Mr. Lazarus** responded affirmatively.

MOTION – Z-14-A-20-2:

Mr. Mazza motioned to recommend approval of Z-14-A-20-2, per the staff recommendation. **Mr. Wise** seconded the motion.

VOTE – Z-14-A-20-2:

13-0; motion to recommend approval of Z-14-A-20-2 per the staff recommendation passes with Committee members Balderrama, Bustamante, DeMoss, Goodhue, Gubser, Hoffman, Mazza, Petersen, Schmidt, Sparks, Wise, Mortensen, and Popovic in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.