



## Village Planning Committee Meeting Summary

**Z-53-22-8**

### INFORMATION ONLY

<b>Date of VPC Meeting</b>	November 14, 2022
<b>Request From</b>	S-1, S-1 (Approved C-2 PCD), S-1 (Approved R-2 PCD), S-1 (Approved R-3 PCD), S-1 (Approved R-3A PCD), S-1 (Approved R1-10 PCD), S-1 (Approved R1-18 PCD), S-1 (Approved R1-8 PCD), S-1 (Approved RH/R1-10 PCD)
<b>Request To</b>	PUD
<b>Proposed Use</b>	PUD to allow single and multifamily residential, commercial uses, and some commerce park
<b>Location</b>	Approximately 860 feet south of the southwest corner of 51st Avenue and Carver Road

### VPC DISCUSSION:

*Item No. 5 (GPA-LV-3-22-8) and Item No. 5 (Z-53-22-8) are companion cases and were heard together.*

*19 members of the public registered to speak on these items. Six of these members of the public donated time to another individual.*

### APPLICANT PRESENTATION

**Wendy Riddell**, representing the applicant with Berry Riddell, introduced herself and the Gila Foothills PUD project located on approximately 270 acres. Ms. Riddell discussed the site location along the Loop 202 freeway and existing zoning. Ms. Riddell discussed the Tierra Montana PCD, stating that the current proposal maintains the existing entitlement of 1,700 dwelling units already approved on the site. Ms. Riddell discussed the Minor General Plan Amendment requested and stated that a 50-foot-wide landscape buffer is proposed along portions of the site next to residential uses. Ms. Riddell stated that five character areas are proposed as part of the PUD case, including: Commercial, Employment, Resort, Resort Residential, and Residential. Ms. Riddell discussed each of the character areas, noting that billboards are proposed, in addition to agrarian-themed residential design and an electric-vehicle focused auto sales campus. Ms. Riddell stated that this would help further the City's Electric Vehicle Roadmap and would have a positive tax benefit for the city. Ms. Riddell discussed a proposed trailhead along the southwest portion of the site that would lead into South Mountain Regional Park. Ms. Riddell discussed community outreach conducted so far

and will be hosting an in-person neighborhood meeting on December 5, 2022 at the Estrella Foothills Global Academy starting at 6pm.

### **PUBLIC COMMENT**

**Miguel Angel Meraz** lives in the area and is concerned with traffic. Mr. Meraz owns horses and feels that this development is not compatible with the area. Mr. Meraz added that traffic is horrible now and would get worse with this development.

**Steven Ramirez** understands the desire of this developer but has many concerns including the ongoing water shortage which led to the City asking residents to conserve water. Mr. Ramirez also has concerns with car dealerships and traffic potential, in addition to public safety. Mr. Ramirez stated that road widening and redoing the interchange at Estrella Drive will be needed. Mr. Ramirez stated that building height is of concern as it would block the views of the mountains. Mr. Ramirez would accept a maximum height of 2 stories and 30 feet, but also has concerns over increased light pollution in the area. Mr. Ramirez added that the increased tax revenue will not benefit this area of the city.

**Timothy Cutright** has lived in the area for 25 years and feels that there is an opportunity to do something unique with the property on 51st Avenue. Mr. Cutright feels that the auto mall use is not appropriate at this location and no development should occur until the intersection of Estrella Drive and 51st Avenue is improved due to existing traffic issues. Mr. Cutright takes his child to the school near this intersection and traffic is a nightmare.

**Sabrina Daniels** expressed safety concerns with increased crime and homelessness in the area. Ms. Daniels is concerned with increased vehicular traffic and worsening safety in the area.

**Dan Penton** discussed a few slides provided to staff ahead of the meeting. Mr. Penton stated that an urban-heat island would be created by this development. Mr. Penton stated that this area is unique and unlike any other in the Valley. Mr. Penton stated that proposing 160 acres of parking lots will cause increased heat and more noise. Mr. Penton stated that proposing high-intensity development in an area that is very rural is not compatible. Mr. Penton discussed the town of Carmel, Indiana, where pedestrian gathering places were developed which encouraged the community to meet. Mr. Penton stated that this development should consider more commercial uses like grocery stores, an enclosed vehicle testing facility, and other uses to create a destination. Mr. Penton discussed the Tierra Montana plan and the trail network in the area. Mr. Penton stated that other facilities could be part of the Resort, connecting places in Laveen to shopping and recreation to create a destination.

**Maria Reagin** discussed park and trail networks in the area, noting that she rides horses near the project site. Ms. Reagin noted that there is no way to guarantee that no gas-powered vehicles will be sold in the proposed auto mall. Ms. Reagin discussed rising crime rates in the area due to gas stations and bus stops. Ms. Reagin stated that

a truck stop would lead to more crime in the area. Ms. Reagin stated that there are lots of auto dealerships in the area.

**Lex Davis** opposes these two cases due to incompatibility with the character of the area. Ms. Davis stated that the area is natural and rural, and this project would create more crime, pollution, and vehicular accidents in the area. Ms. Davis added that the Laveen character would change and would no longer be a peaceful place, leading to more urbanization and related issues.

**Galo Barzola** echoes the comments provided. Mr. Barzola described witnessing criminal activities taking place in the community, adding that more commercial uses lead to rising crime. Mr. Barzola stated that a truck stop and automobile dealership proposals are not compatible. Mr. Barzola stated that the community does not need more digital signage and wants more trails. Mr. Barzola described this proposal as not favoring the community.

**Rod Grimes** lives in the area and agrees with the comments made. Mr. Grimes stated that an auto mall is not compatible as Laveen is a bedroom community that people seek to get away from the city and not be next to commercial development. Mr. Grimes agrees with the comments made by Lex Davis.

**Phil Hertel** finds numerous issues with the proposed PUD case. Mr. Hertel stated that the applicant needs to break up the approval into various phases, as each phase has many pieces that need to be reviewed carefully. Mr. Hertel suggested having an in-person open house meeting as there is not enough detail provided with this proposal. Mr. Hertel wants to understand the proposal in more detail before declaring his stance on the cases. Mr. Hertel wants to have in-person meetings, not virtual meetings.

**David Garrett** has lived in the area for 19 years and discussed existing utility and canal easements in the area. Mr. Garrett stated that properties west of 51st Avenue should be residential and that a truck stop would not be compatible with the area. Mr. Garrett has concerns with increased building or billboard height and lighting impacts from billboards. Mr. Garrett is opposed to this project.

**Charlie McNeely** has lived in the area for many decades, as he moved here to enjoy the natural beauty, farming, and the solitude. Mr. McNeely stated that this proposal is across his home and discussed existing commercial uses in the area. Mr. McNeely stated that there are no auto malls next to residential in other cities. Mr. McNeely stated that there are schools in the area and is concerned with student safety. Mr. McNeely does not support any heights above 20 feet and does not support billboards either.

**Anthony Houston**, on behalf of Cassidy Houston, moved to the area to not have to worry about some of the uses being proposed by this project such as auto malls or truck stops. Mr. Houston stated that the auto mall is not an opportunity for all and that jobs will be lost to automation. Mr. Houston has traffic concerns and is not in favor of uses that will not preserve the Laveen area or will take away from the Village.

### **COMMITTEE QUESTIONS**

**Rebecca Perrera** asked for clarification on traffic signal locations. **Ms. Riddell** responded that this is still being looked at.

**Carlos Ortega** asked the Chair to clarify the role of the Laveen Village Planning Committee to the community members present. **Chair Glass** agreed to do so later in the discussion.

**Dean Chiarelli** asked for clarification on the concept of a Resort use as sometimes these uses can be exclusionary. Mr. Chiarelli also asked whether the developer would install electric vehicle chargers in each home without being required to do so. Mr. Chiarelli appreciated the community input provided regarding the character of the area and shares concerns with the effects of asphalt in Laveen. **Mr. Riddell** responded that the resort is envisioned with a housing and hotel element but will be redefined later in the process.

### **COMMITTEE DISCUSSION**

**Stephanie Hurd** stated that the Village Planning Committee is an advisory board, and the applicant took time to explain the project before a recommendation is made in the future. Ms. Hurd expressed the importance of multi-use trail alignments in the area.

**Vice Chair Abegg** stated that this is the start of the project and encouraged the public to remain involved. Ms. Abegg stated that this is a situation where the farmer is selling his land willingly and VPC members should meet with the applicant. Ms. Abegg would like to see a detailed land use list, such as an auto mall only for electric vehicles and not gas-powered vehicles. Ms. Abegg agrees with Mr. Chiarelli and wants to see the community support uses they want to see in Laveen and the developer work towards developing uses to make these an asset for Laveen residents.

**Chair Glass** stated that community input is necessary and thanked the community for their comments. Planned Unit Development or PUD cases incorporate more community input, but the PUD process can be cumbersome. Ms. Glass stated that some items are out of the VPC's hands and encouraged the community to attend the community meetings and give input. Ms. Glass stated that the applicant and community need to sit at the table and discuss details of the project such as land uses, sign locations, standards, and do research. Ms. Glass added that the Village Planning Committee is an advocate for the community, but the community should also attend the various meetings.

**Carlos Ortega** stated that plainly saying no is not an answer that typically works and instead the community should provide more input on the project. Mr. Ortega would also like the Council Offices to hear the input from the community and VPC members.

**Chair Glass** asked the applicant to continue working with the community on the project. **Ms. Riddell** responded that they would continue to refine uses and encourage the public to attend their meetings.

**Vice Chair Abegg** stated that VPC members were appointed to make recommendations and that sometimes the Council District offices will reach out to VPC members with questions and to get their input. Ms. Abegg added that the City Council receives the recommendations made by the VPC members. Ms. Abegg encouraged staff to reach out to the applicant to ensure that there is no quorum of Laveen VPC members at the upcoming public meeting on December 5, 2022.

**Chair Glass** encouraged the community to not give up and not to give in, plus provide comments on what they want to see on the project.

## Village Planning Committee Meeting Summary

### Z-53-22-8

<b>Date of VPC Meeting</b>	February 12, 2024
<b>Request From</b>	S-1, S-1 (Approved C-2 PCD), S-1 (Approved R-2 PCD), S-1 (Approved R-3 PCD), S-1 (Approved R-3A PCD), S-1 (Approved R1-10 PCD), S-1 (Approved R1-18 PCD), S-1 (Approved R1-8 PCD), S-1 (Approved RH/R1-10 PCD)
<b>Request To</b>	PUD
<b>Proposal</b>	Planned Unit Development to allow single and multifamily residential, commercial uses, and some commerce park
<b>Location</b>	Approximately 860 feet south of the southwest corner of 51st Avenue and Carver Road
<b>VPC Recommendation</b>	Continuance to March 18, 2024
<b>VPC Vote</b>	8-0

**VPC DISCUSSION:**

*Item No. 4 (GPA-LV-3-22-8) and Item No. 5 (Z-53-22-8) were heard together.  
14 members of the public registered to speak on this item.*

**Staff Presentation (Overall and Hub Character Area):**

**Nayeli Sanchez Luna**, staff, presented an overview of GPA-LV-3-22-8 and Z-53-22-8. Mrs. Sanchez Luna discussed the location of the site, the requested zoning designation, and the surrounding land uses. Mrs. Sanchez Luna provided an overview of the proposed development including the different development units and character areas. Mrs. Sanchez Luna summarized the staff findings, correspondence, providing the staff recommendation and proposed stipulations. Mrs. Sanchez Luna concluded the presentation by providing an overview of the Hub Character area noting the allowed uses, height, and design.

**Applicant Presentation (Overall and Hub Character Area):**

**Wendy Riddell**, representing the applicant with Berry Riddell, LLC, began the presentation by providing the history of the subject site including the Tierra Montana PCD. Ms. Riddell summarized the number of acres, proposed uses, and noted the allowed number of residential units under the Tierra Montana PCD. Ms. Riddell noted similar developments in Gilbert and Scottsdale and summarized the future

development forecast for Laveen. Ms. Riddell summarized the EV focused auto campus and added that the subject site was one of the last allowed areas within the City to allow numerous automobile dealerships. Ms. Riddell stated that the proposed development would generate revenue and employment opportunities for Laveen. Ms. Riddell added that the PUD proposes numerous improvements such as a trailhead, infrastructure, and water conservation. Ms. Riddell provided statistical information that supported a hospital in Laveen and noted the reduction in proposed height and setback provisions when adjacent to the existing Tierra Montana development. Ms. Riddell noted that any additional units will have to return to the committee for a recommendation via the PHO process. Ms. Riddell summarized the proposed improvements on Estrella Drive, 47th Avenue, 51st Avenue, and 55th Avenue. Ms. Riddell noted the proposed height for auto-mall uses and added the allowed use for off-premise signage.

### **Community Presentation by John Bzdel (Overall and Hub Character Area):**

**John Bzdel** presented the Character Plan for the Laveen Village and noted the rural characteristics highlighted in the plan. Mr. Bzdel summarized the stipulations found in the existing zoning designation for Tierra Montana that focused on limited height, lot widths, preservation of equestrian character, and restrictions for resort uses. Mr. Bzdel stated that there were only two development areas which included commercial and low density residential/resort uses. Mr. Bzdel summarized compatible communities found adjacent to the purposed development which maintain scenic views. Mr. Bzdel added that the proposed development is not located within the core. Mr. Bzdel provided an overview of the Land Use and Design Principles found in the General Plan and reiterated the rural character of Laveen. Mr. Bzdel voiced his opposition for the proposed landscaping on 47th Avenue and proposed height. Mr. Bzdel concluded his presentation by stating that the current PUD proposal should not be approved until modifications are made.

### **Questions From the Committee (Overall and Hub Character Area):**

**Chair Linda Abegg** noted that the committee follows open meeting laws thus discussion on the case has not occurred outside of a public setting. Chair Abegg suggested committee members to voice their opinions, questions, and possible stipulations so that the applicant could discuss them with staff and a recommendation could be made at the next meeting. The committee voiced their agreement. **Chair Abegg** suggested reducing the maximum height to 40 feet, reducing the maximum number of units to 1,200, supporting density adjacent to the hospital, limiting 20 percent of the total subject site for residential uses, prohibiting self-service storage, all multifamily development returning to the committee via the PHO process, and infrastructure to be completed in Phase I. Chair Abegg added that she would like a land use percentage and density tracker. Chair Abegg noted that she would like to see numerous changes in the Hub Character Area. Chair Abegg stated that those changes included, a setback of 900 feet for any hospital when adjacent to Tierra Montana, if an auto-mall is not developed then any development must go through the PHO process.

Chair Abegg added that she would like the auto-mall to include all sustainability features found in the PUD Narrative, and asked staff questions regarding existing stipulation language. Chair Abegg stated that she would like the PUD to have one EV line or alternative fuel source vehicles.

**Patrick Nasser-Taylor** voiced his support for all the proposed modifications presented by Chair Abegg. Mr. Nasser-Taylor proposed a height limitation of 70-feet for the hospital and a 30-foot height restriction for Development Unit 6. Mr. Nasser-Taylor asked why the auto-mall needed a maximum height of 56 feet. Mr. Nasser-Taylor added that the majority of auto dealerships were approximately two stories. Mr. Nasser-Taylor asked why the applicant requested an auto dealership use out of the hundreds of allowed uses in the Zoning Ordinance. **Ms. Riddell** noted that the proposed auto-mall would bring employment to the village and that the subject site is one of the few areas in the City that can accommodate an auto-mall. **Mr. Nasser-Taylor** stated that he would like to see more than one line of EV or alternative fuel vehicles. **Ms. Riddell** noted that the applicant is proposing an EV brand auto-mall where people are encouraged to buy EV vehicles. **Mr. Nasser-Taylor** noted that numerous dealerships are not 56 feet. **Ms. Riddell** stated that the 56 feet is required for a parking garage to store vehicles for the auto-mall. **Mr. Nasser-Taylor** asked where west of the Loop 202 and along the I-10 was there a 150-foot structure. **Ms. Riddell** noted that her team could provide that information. **Mr. Nasser-Taylor** stated that a 150-foot structure is not located anywhere in the area. Mr. Nasser-Taylor voiced his concerns regarding the proposed 120-foot hospital in a rural environment. **Ms. Riddell** noted that only the tower of the hospital would be allowed a height of 120 feet. **Mr. Nasser-Taylor** noted that the applicant is proposing a lot of uses on a small piece of land.

**Rebecca Perrera** stated that the committee should collaborate to modify the PUD to better serve the community now and in the future.

**Carlos Ortega** stated that one of the best things that happened in Laveen was the full construction of Baseline Road prior to development. Mr. Ortega noted that the PUD is proposing to build all major infrastructure before development. Mr. Ortega voiced his support for street development prior to any development.

**Francisco Barraza** stated that his questions were answered.

**JoAnne Jensen** requested more information regarding the approval letter presented by John Bzdel and the relationship between those stipulations and the ones proposed by the PUD. Ms. Jensen voiced her concern with the proposed density, lack of single-family residential development and requested pawn shops and truck stops to be prohibited in the PUD. **Ms. Riddell** noted that truck stops were prohibited and that they would add pawn shops to the prohibited list. Ms. Riddell noted that the approval letter is from the Tierra Montana PCD that would have allowed a higher density than what is proposed in the PUD. Ms. Riddell added that the freeway has modified the proposed land uses in the area.



**Jennifer Rouse** noted that the Laveen community has evolved over the years and the freeway has contributed to the change. Ms. Rouse voiced her concern regarding the proposed multifamily adjacent to single-family residential and possible traffic congestion on Estrella Drive and 51st Avenue. Ms. Rouse added that the Level 1 Trauma Center hospital would likely have a helicopter pad but noted the need for a hospital that would serve Laveen and Ahwatukee.

**Vice Chair Stephanie Hurd** stated that she would like Laveen to be sustainable, so individuals didn't have to leave the village. Vice Chair Hurd added that she has done research on the proposed hospital and asked for verification regarding the 52 million tax revenue. **Christine Mackay**, the Community and Economic Development Department Director, stated that auto-malls located in other cities have generated a lot of revenue for infrastructure. Ms. Mackay understood Laveen's desire for high-retail and restaurants and noted that the proposed PUD would allow for both retail and services within the village. Ms. Mackay summarized a restaurant tour that the Department had and added that the proposed auto-mall and hospital will attract the retail uses. Ms. Mackay noted that the proposed hospital height was to accommodate for all services such as emergency, surgery, out-patient services, and pharmacy. Ms. Mackay added that different hospitals accept different types of insurances allowing for more choices to residents. Ms. Mackay stated that the hospital would also attract more retail opportunities which would help create a sustainable Laveen. **Vice Chair Hurd** asked if there was a way to guarantee an upscale resort. **Ms. Mackay** stated that the proposed resort would have numerous amenities and noted that the proposed trailhead adjacent to the South Mountain Park would support a high-end resort.

**Public Comment (Overall and Hub Character Area):**

**Dan Penton** stated that he would like to see a smaller auto-mall footprint and reduce the amount of asphalt utilized for all the dealerships. Mr. Penton asked how the testing routes would be enforced and noted that EV vehicles are heavier and asked how infrastructure would support the extra weight.

**Phil Hertel**, representing the LCRD, noted that a traffic study has not been completed, as well as an environmental and noise study. Mr. Hertel noted that the proposed high-density development is not compatible for the area. Mr. Hertel noted that the LCRD had concerns with the lack of studies, distance between hospitals, and lack of details in the PUD. Mr. Hertel noted that the LCRD requested the case be continued before a recommendation is made.

**Mr. Hertel** stated that the following comments were not a representation of the LCRD. Mr. Hertel asked how the applicant would enforce the stipulation requiring one line of EV or alternative fuel vehicles. Mr. Hertel asked for more information regarding the auto-mall as a funding mechanism. Mr. Hertel asked for clarification if the proposal included one hospital or multiple and voiced his concerns with the proposed cul-de-sac and traffic counts on Estrella Drive. Mr. Hertel noted that more information was needed.

**Carmen Terrell** voiced her concerns regarding the water shortage. Ms. Terrell asked for the rural character be respected and preserved.

**Jen Leitch** stated that the proposed auto-mall is not for Laveen but for a much larger area. Ms. Leitch stated that the auto-mall would attract of people outside of Laveen and not serve the village.

**Applicant Response (Overall and Hub Character Area):**

**Ms. Riddell** noted that the proposed cul-de-sac would significantly limit the number of vehicles on Estrella Drive. Ms. Riddell added that the traffic counts were from the traffic study conducted. **Mr. Ortega** asked for more information. **Jamie Blakeman**, with the applicant's team, stated that they have received an approval letter for the traffic study from the Street Transportation Department. Ms. Blakeman noted that the traffic counts are in association with the proposed land uses and the current and proposed road infrastructure.

**Committee Discussion (Overall and Hub Character Area):**

**Chair Abegg** noted that she would like to continue the discussion and identify the key issues within the PUD. Chair Abegg asked if the committee was in supported of the proposed 120-foot hospital. Chair Abegg noted that hospitals are important, especially a Level 1 Trauma Center. **Mr. Barraza** voiced his agreement on the hospital. Mr. Barraza noted that firefighters spend more time on the road traveling because there are no hospitals in the area. **Ms. Jensen** stated that a hospital is needed. Ms. Jensen noted that the hospital should be located closer to the freeway. **Chair Abegg** asked if Committee Member Jensen supported the 900-foot building setback for the hospital. **Ms. Jensen** agreed. **Ms. Rouse** noted that there should be multiple hospitals to offer services, so people don't need to travel downtown. **Vice Chair Hurd** stated that she was mostly supportive of the proposed setback but would like to allow some leniency. **Mr. Nasser-Taylor** noted that he researched numerous hospitals in surrounding cities. Mr. Nasser-Taylor added that hospital administrators have stated that hospitals are not typically 120-feet. **Ms. Perrera** understood the concerns with the proposed height. Ms. Perrera noted that only a portion of the development unit would be for a hospital. Ms. Perrera asked for possible revisions to the PUD. **Mr. Ortega** noted a flooding event that occurred in the community and stated that people had to go downtown for a hospital. Mr. Ortega added that a hospital is needed in the area. Mr. Ortega asked the applicant to review the height of the Mayo hospital.

**Chair Abegg** asked if anyone had concerns with adding pawn shops to the prohibited list. The committee voiced their agreement.

**Chair Abegg** mentioned the allowed heights for specific uses in the auto-mall districts and additional step back provisions. Chair Abegg proposed a maximum percentage of residential uses and density. **Ms. Perrera** stated that she would share her opinion

during the next section of the meeting.

**Chair Abegg** reiterated some of the proposed changes including sustainability standards, hospital setback, and height restrictions. **Mr. Nasser-Taylor** asked if they could have another meeting to discuss the proposed changes. **Chair Abegg** noted that the committee could not meet but asked members to voice their opinions regarding the PUD. **Ms. Perrera** asked if a member could send an email to a few members. **Chair Abegg** noted that a member could send an email to the entire committee.

**Chair Abegg** noted that a few additional members of the public wished to speak.

**Neritza Diaz-Cruz** stated that she loved the rural character of Laveen. Ms. Diaz-Cruz noted that there was no guarantee that the tax revenue would return to Laveen. Ms. Diaz-Cruz added that she was opposed to the off-premises signage. **Chair Abegg** noted that the development agreement would ensure that revenue is kept in Laveen.

**Jeanette McDaniel** stated that she wasn't notified of the proposed PUD and asked for more information regarding the notification process. **Chair Abegg** noted that this has been proposed since 2022 and added that the developer followed the requirements by the rezoning process. **Ms. McDaniel** stated that she lived in the heart of Laveen and never received a notification. Ms. McDaniel asked why the proposed development was not relocated on the other side of the freeway. **Chair Abegg** noted that the other side of the freeway was the Gila River Indian School Reservation.

**Win Kwok** asked how a hospital would keep the certification of a Level 1 Trauma Center. Ms. Kwok stated that all the added asphalt would cause a negative effect in the area and add to the urban heat island effect. Ms. Kwok asked regarding water conservation and if the existing infrastructure was able to sustain EV vehicles such as electricity for charging stations and the proposed hospital.

**T.J. Henshaw** noted that the subject site is located within an existing echo chamber and stated that there isn't any commercial development east of 51st Avenue. Mr. Henshaw added that these commercial uses will bring noise, light, and traffic congestion. Mr. Henshaw shared that Laveen could benefit from other types of commercial uses.

#### **Staff Presentation (District Character Area):**

**Mrs. Sanchez Luna** displayed the location of the District Character Area and summarized the building step back height provisions. Mrs. Sanchez Luna noted the landscape buffer, summarized the proposed design guidelines, and key features.

**Applicant Presentation (District Character Area):**

**Ms. Riddell** noted the modern rural character for the District Character Area and displayed numerous examples. Ms. Riddell noted the mixture of retail and multifamily residential. Ms. Riddell summarized the building step backs when adjacent to the existing Tierra Montana neighborhood and 51st Avenue. Ms. Riddell noted that they are proposing a cul-de-sac on 55th Avenue to accommodate the concerns heard by the Tierra Montana community. Ms. Riddell noted that the Street Transportation Department did not support a cul-de-sac on 55th Avenue.

**Questions From the Committee (District Character Area):**

**Chair Abegg** stated that she had concerns with the proposed height in Development Unit 5 and proposed a larger step back on 51st Avenue. Chair Abegg noted that she agreed with the comments received by the Street Transportation Department and requested 55th Avenue to connect rather than ending in a cul-de-sac.

**Mr. Nasser-Taylor** voiced his concerns regarding the Public / Quasi-Public designation removal in this area. **Ms. Riddell** noted that the designation was part of the Tierra Montana PCD and originally was going to be a school facility. Ms. Riddell added that the school was already built, just in a different location. **Ms. Perrera** noted that this was an issue where the existing land use entitlements didn't match the General Plan Land Use Map.

**Ms. Perrera** had concerns regarding the proposed three left turns for school drop-off. **Ms. Riddell** noted that the proposed road structure is based on community concerns.

**Vice Chair Hurd** voiced her agreement with the comments provided by the Street Transportation Department.

**Public Comment (District Character Area):**

**Mr. Penton** stated that multifamily housing is not being utilized in the City and would like to see more retail uses. Mr. Penton noted that he would be supportive of restaurants, grocery stores, or a large open space area.

**Ms. Terrell** voiced her concerns regarding water usage and stated that she would like to see development under the existing zoning designations.

**Mr. Hertel** asked for clarification on modern rural architecture and added that the displayed renderings were more modern than rural. Mr. Hertel noted that there should be a limitation in multifamily development and that he would like to see more townhomes or single-family attached development in this area.

**Committee Discussion (District Character Area):**

**Chair Abegg** asked committee members if they agreed with building out 55th Avenue. **Mr. Nasser-Taylor** noted that more discussion was required regarding 55th Avenue because of the intensity of the proposed development and the concerns from the community.

**Mr. Ortega** asked how many multifamily housing developments are needed in Laveen. **Ms. Riddell** displayed the population and housing forecast for the City. Ms. Riddell noted that Laveen is going to require a significant number of housing to support a forecasted growth of 30,000 residents. **Mr. Ortega** asked what would occur if the forecast changes and suggested a stipulation to allow for other uses if housing is no longer needed. **Ms. Perrera** noted that there was a concern of approved multifamily housing in Laveen that hasn't been built.

**Ms. Jensen** stated that there was approximately 10,000 units that have been approved but haven't been built. Ms. Jensen voiced her support for neighborhood retail or single-family residential. Ms. Jensen noted that she was not opposed to townhomes or single-family attached development.

**Ms. Rouse** agreed with Committee Member Jensen's comment regarding attached single-family housing. Ms. Rouse noted her concerns regarding 55th Avenue and the agreement with the community.

**Vice Chair Hurd** noted the loss of commercial land to multifamily development. Vice Chair Hurd stated that she was opposed to multifamily and self-storage. Vice Chair Hurd added that if Laveen had all the commercial required to support the community, then she would support additional housing. Vice Chair Hurd suggested a hotel adjacent to the hospital.

**Chair Abegg** noted that the majority of the committee was in favor of 55th Avenue connecting to the proposed development. Chair Abegg suggested reducing the maximum height for residential to 40 feet. Chair Abegg noted that she would like to add single-family as a permitted use. **Ms. Riddell** noted that single-family is allowed.

**Mr. Ortega** requested a stipulation to require all multifamily development to go through the PHO process.

**Staff Presentation (Foothills Character Area):**

**Mrs. Sanchez Luna** displayed the location of the Foothills Character Area and summarized the building step back height provisions and allowed uses. Mrs. Sanchez Luna noted the landscape buffer, summarized the proposed design guidelines, and key features including the proposed resort and trailhead at South Mountain Park.

**Applicant Presentation (Foothills Character Area):**

**Ms. Riddell** noted the proposed natural character of the area. Ms. Riddell stated the allowed uses in each development unit and summarized the requirements of a resort. Ms. Riddell displayed examples of proposed resort types and noted that approximately 50 acres would be preserved for a resort use. Ms. Riddell noted that if anything outside of a resort is proposed, then they would be required to return through the PHO process. Ms. Riddell summarized the proposed modification to Development Unit 8 which would limit the density when adjacent to large lot single-family development on Estrella Drive and 47th Avenue. Ms. Riddell displayed the proposed modifications to 47th Avenue to maintain the rural road but noted that the Street Transportation Department does not support the modification.

**Committee Discussion (Foothills Character Area):**

**Chair Abegg** voiced her concerns regarding Estrella Drive but was unsure of a proper solution. Chair Abegg stated that she would like to move the “County Lane” and agreed with the applicant’s modification to 47th Avenue. Chair Abegg stated that she would like to reduce the density Development Unit 8 to 3 du/acre adjacent to Estrella Drive and 47th Avenue and the remainder to 14 du/acre. Chair Abegg suggested limiting the office uses to professional offices. Chair Abegg would like the resort time stipulation to be modified to five years of the dedication of Gila Foothills Parkway and development of the trailhead. Chair Abegg provided an alternative step back provision and suggested a stipulation for the last off-premise sign adjacent to the resort.

**Mr. Barraza** voiced his agreement regarding Estrella Drive and the time stipulation in relation to the resort.

**Ms. Jensen** voiced her agreement. Ms. Jensen noted that Estrella Drive and 47th Avenue should be modified to alleviate the community’s concerns.

**Vice Chair Hurd** agreed with the proposed 3 du/acre along Estrella Drive and 47th Avenue. Vice Chair Hurd requested modifying landscaping in the buffer to include more cacti rather than trees. Vice Chair Hurd stated more discussion was required for Estrella Drive.

**Mr. Nasser-Taylor** agreed with all the comments proposed by the committee, particularly supporting single-family.

**Ms. Perrera** agreed with the comments regarding single-family residential. Ms. Perrera noted the development agreement stipulation and suggested a possible shared parking area for the resort and trailhead. **Ms. Riddell** noted that they are encouraging shared parking areas.

**Mr. Ortega** asked if the trailhead was going to have parking and facilities available to individuals prior to the construction of the resort. **Ms. Riddell** noted that they have had

several conversations regarding the development of the trailhead with the Parks Department.

**Public Comment (Foothills Character Area):**

**Mr. Penton** voiced his concerns regarding the environmental impacts including wildlife and vegetation. Mr. Penton voiced his support for the purposed trailhead.

**Mr. Hertel** agreed with Mr. Penton's comments. Mr. Hertel noted that there is a housing shortage in Laveen based on the forecast presented by the applicant.

**Eugenio Gutierrez** voiced his concerns regarding vandalism at the proposed trailhead. Mr. Gutierrez voiced his support for 3 du/acre and supported a reduction in density when in relation to the resort.

**Dave Garrett** displayed the existing street infrastructure and noted the safety concerns. Mr. Garrett added that 51st Avenue needed to be widened to accommodate the proposed development.

**Alice Williams** noted that there were numerous livestock uses in the area. Ms. Williams added that the proposed multifamily development would not be compatible with the surrounding uses and that she does not want to receive complaints regarding noise and odor.

**Mr. Bzdel** on behalf of Jennifer Spicer stated that she moved to the area specifically because of the large open fields. Mr. Bzdel noted that she would have not moved to the area if the zoning was going to be changed to allow for high intensity commercial.

**Maria Reagin** noted that an environmental study has not been conducted. Ms. Reagin added that the proposed development would add to the urban heat island and that there hasn't been a noise study for the proposed development.

**Ms. Terrell** reiterated her concerns regarding water conservation. Ms. Terrell requested the preservation of the rural character.

**Mr. Henshaw** noted that the General Plan Land Use Map designation supported large lot single-family development. Mr. Henshaw stated that this should require a Major Amendment to the General Plan. Mr. Henshaw stated that the case needed to be put on hold until all the issues are resolved.

**Lauren Grove** stated that this was one of the most scenic corridors in the City. Mr. Grove referenced the Laveen Character Plan which supported the protection of views. Mr. Grove noted that he did not receive any notification regarding the proposed PUD, nor did anyone come to his property to discuss.

**Community Discussion (Foothills Character Area):**

**Chair Abegg** noted the community's concerns regarding density and timeline for the proposed resort. Chair Abegg stated that the committee agrees to the community's modifications to 47th Avenue and Estrella Drive. Chair Abegg asked if any additional items needed to be addressed. **Ms. Jensen** asked how these modifications would be shared with the rest of the committee. **Chair Abegg** stated that the notes would be provided to the applicant and staff in order for all of the issues to be discussed and addressed before the next meeting. Chair Abegg suggested having small meetings with the applicant and staff.

**Ms. Perrera** asked when the development agreement would be completed. **Ms. Mackay** stated that the development agreement would depend on the rezoning approval and further discussions with the developer.

**Motion:**

**Jennifer Rouse** motioned to continue Z-53-22-8 to the March Laveen Village Planning Committee meeting. **Francisco Barraza** seconded the motion.

**Vote:**

**8-0**, motion to continue Z-53-22-8 passed with Committed Members Barraza, Jensen, Nasser-Taylor, Ortega, Perrera, Rouse, Hurd, and Abegg in favor.

**Staff comments regarding VPC Recommendation:**

None.





**Questions From the Committee:**

**Patrick Nasser-Taylor** noted that there had been significant changes to the proposal. Mr. Nasser-Taylor asked for clarification on development units that allowed for a maximum height of 56 feet. **Ms. Riddell** stated that Development Unit 2, 5 and 10 allowed for a maximum height of 56 feet.

**Rebecca Perrera** noted that the Laveen Meadows was an example of a development that had reserved property for fire and police, but the services were never provided. Ms. Perrera asked how they would ensure the development of a fire or police station within the PUD. **Ms. Riddell** stated that any future development of a fire or police station would be found in the development agreement. Ms. Riddell noted that they are still working on finalizing the development agreement. **Chair Linda Abegg** appreciated the commitment for a development agreement but noted that that would not be part of the rezoning case. **Ms. Perrera** asked if they developer would still be required to pay impact fees. **Ms. Riddell** confirmed.

**Carlos Ortega** stated that his major concern was street infrastructure and asked for a time frame for when the roads would be completed. **Ms. Riddell** noted that that could possibly occur within three years. **Mr. Ortega** wanted to ensure that all major street infrastructure be constructed before development. **Ms. Riddell** clarified that it would be about 10 years for all infrastructure to be developed. **Mr. Ortega** asked for a time frame for 51st Avenue. **Ms. Riddell** noted that that would be determined at the time of construction of development. **Mr. Ortega** stated that he did not want 51st Avenue to have the same issues as Dobbins Road.

**Francisco Barraza** thanked the applicant for working with the community.

**JoAnne Jensen** thanked the applicant for working with the community. Ms. Jensen asked why Stipulation No. 1.n was modified to delete self-service storage from the prohibited use list. **Ms. Riddell** noted that the proposed stipulations would allow for one self-service storage within the Hub Character Area. **Ms. Jensen** suggested adding other items to the prohibited list such as liquor stores, smoke shops, and cannabis shops. **Ms. Riddell** noted that the permitted C-2 zoning already had provisions for uses such as alcohol sales and smoke shops and that additional entitlements would be required for cannabis sales.

**Jennifer Rouse** noted that the applicant has worked extensively with the community and appreciated all their compromises. Ms. Rouse added that a hospital is needed in the community.

**Vice Chair Stephanie Hurd** voiced her opposition for the proposed multifamily. Vice Chair Hurd thanked the applicant, the Chair, the committee, and the departments involved in finalizing the stipulations found in the memo provided by staff.

**Chair Linda Abegg** thanked the applicant, committee, and community for their input.

Chair Abegg summarized the stipulations in the memo and noted that she had some concerns but would address them after public comment.

**Public Comment:**

**John Bzdel** stated that he opposed the proposed density in Development Unit 8. Mr. Bzdel noted that the applicant promised 90-foot-wide lots and that he expected a lower density and a maximum of 37 lots. **Ms. Riddell** stated that the proposed density aligned with R1-18 development standards and that the lots were 90-feet wide with a maximum of 39 lots. **Mr. Bzdel** noted that the density should be lower. **Reid Butler**, with the applicant's team, noted that all discussion referenced R1-18 development standards. **Mr. Bzdel** wanted to ensure that there was a consensus between the community and the developer.

**Jeffrey Kling** noted that the Laveen village is a pristine place to live. Mr. Kling voiced concerns with the proposed development and noted the lack of density variation in the PUD. Mr. Kling added that there hasn't been any mention of an environmental impact study, discussions with the Gila Indian Reservation, and noise studies.

**Kim Henshaw** voiced her appreciation for the progress on 47th Avenue and Estrella Drive; however, she had concerns for other existing development adjacent to the site. Ms. Henshaw noted that individuals would utilize streets rather than the Loop 202 Freeway, thus increasing traffic congestion in the area. Ms. Henshaw added that the development would disrupt the rural community and that there were no provisions for lighting, preserving dark skies, or preserving the rural character.

**Jen Leitch** voiced her opposition to having such a large development adjacent to South Mountain. Ms. Leitch suggested density that would be compatible with the park. Ms. Leitch added that the community did not receive the memo and asked for more information on Carver Road. Ms. Leitch stated that there were no auto malls located near other parks.

**Paul Franckowiak** stated that the development would cause traffic issues for Laveen. Mr. Franckowiak added that the traffic would travel to Carver Road and Estrella Drive. Mr. Franckowiak asked why this development was proposed in Laveen and added that the explanation he has received is not sufficient to warrant such a large development. Mr. Franckowiak stated that a hospital would be best in a location with existing residential developments and that there was a lot of missing information.

**Dan Loden** stated that the Laveen character is rural. Mr. Loden noted that the City has experienced a shortage in police officers, even with the recent increase in wages. Mr. Loden noted recent crimes in the area including 51st Avenue and Baseline Road. Mr. Loden asked how the shortage would be addressed and added that he was hesitant that any police or fire services would be provided.

**Karen Clark** noted that she moved to the area for the rural atmosphere and that the

proposal would cause severe traffic congestion. Ms. Clark agreed with Mr. Loden comments regarding police and fire services. Ms. Clark voiced her concerns regarding the location of the hospital.

**Maria Reagin** voiced her approval of the reduction in density for Development Unit 8 and the proposal for 47th Avenue. Ms. Reagin added that there has been a huge compromise on the applicant's side to address the community's concerns. Ms. Reagin thanked members of the community including the LCRD, applicant, and Councilmember Hodge Washington. Ms. Reagin requested to continue working with the developer on landscaping for 47th Avenue.

**Phil Hertel** thanked the community, committee and the applicant on the modifications to the stipulations. Mr. Hertel requested roof overhangs to be increased to 18 inches and that the maximum number of units be reduced to 1,200. Mr. Hertel requested a notification list be added to the stipulations for any development within the PUD. Mr. Hertel asked for an explanation regarding Stipulation No. 1.rr.

**Michael Miller** voiced his concerns regarding the proposed hospital and auto mall. Mr. Miller requested 55th Avenue to terminate as previously proposed by the applicant. Mr. Miller noted that there would be a significant increase in traffic congestion adjacent to the school located on the northeast corner of 55th Avenue and Carver Road.

**Charlie McNeely** noted that he was not opposed to progress. Mr. McNeely added that he had concerns regarding height and noted that he would like to limit the height to 4 stories. Mr. McNeely thanked the committee for their time and dedication to the proposal.

**Karson Baird** asked if there were any dealerships interested in the proposed auto mall. **Ms. Riddell** confirmed. **Ms. Baird** voiced her concerns for 51st Avenue south of Carver Road, noting that a portion of it was located in the County.

**Jon Kimoto** noted his support for the proposal but voiced his concerns regarding the proposed landscaping along 47th Avenue and Estrella Drive. Mr. Kimoto noted the slope change from 42nd Avenue and recommended modifications to retain rainwater in the landscape area. Mr. Kimoto added that certain vegetation could be utilized to prevent trespassing or encampments. **Vice Chair Hurd** requested Mr. Kimoto be added to the meetings between the applicant and residents to discuss landscaping along 47th Avenue and Estella Drive.

### **Applicant Response:**

**Ms. Riddell** reiterated the commitment to continue working with the residents along Estrella Drive and 47th Avenue. Ms. Riddell noted that they had previously recommended 55th Avenue to become a dead-end street, but the Street Transportation Department didn't support the modification. Ms. Riddell added that they could work with the Street Transportation Department on traffic mitigating measures.

Ms. Riddell stated that Stipulation No. 1.rr referenced shade pockets when adjacent to future auto dealerships. Ms. Riddell noted that if an auto dealership was not developed, then 75% shade would still be required for public streets. Ms. Riddell recommended a stipulation that would require a group of individuals be notified for any development within the PUD. Ms. Riddell requested a modification to Stipulation No. 1.ll that would require 18 inch overhangs and 90-foot-wide lots. Ms. Riddell noted that the PUD would already require numerous design standards to reduce heat and light pollution.

### **Committee Discussion:**

**Chair Abegg** noted additional stipulations and asked for the committee's opinion. Chair Abegg added that building setbacks for internal development should be kept at the proposed 10 feet. **Mrs. Sanchez Luna** noted that the stipulation referenced building setback between developments to align with resort uses. **Ms. Riddell** clarified that stipulation 1.e would require a larger setback adjacent to South Mountain and that there was discussion to add a stipulation to increase internal setbacks but that they would not recommend adding the stipulation.

**Chair Abegg** asked for clarification on multifamily that is required to return through the PHO process. **Ms. Riddell** noted that it would apply to multifamily development over 40-feet which is allowed in Development Units 2, 5, and 10.

**Chair Abegg** asked for the open space in Development Unit 8 to be increased to 15% to align with the PUD narrative. **Ms. Riddell** agreed. **Chair Abegg** requested Stipulation No. 1.ll be modified to include 15% and 90-foot average wide lots.

**Chair Abegg** requested the Community and Economic Development Department Director to provide a statement regarding the commercial development.

**Christine Mackay**, the Community and Economic Development Department Director (CED), stated that a hospital would be a long-term asset for the community. Ms. Mackay added that to ensure hospital development, less restrictions would be ideal. Ms. Mackay cited other hospitals that didn't have the same restrictions and allowed for a maximum height of over 120-feet. Ms. Mackay added that development thrived on density and added that the proposed density would allow for a successful hospital and resort.

**Ms. Perrera** asked for more information regarding the demand for a hospital and a resort. **Ms. Mackay** noted that there has been a demand for health care options in the Laveen and South Mountain area. Ms. Mackay stated that the proposed resort would be a place for wellness with numerous wellness trails, amenities, and services. **Ms. Perrera** asked about the percentage of multifamily and commercial and if it was appropriate. **Ms. Mackay** noted the change in market and the dramatic change in population has resulted in a high demand for commercial and residential. Ms. Mackay added that the development would connect people within their community.

**Vice Chair Hurd** stated that the community has voiced their opposition for the proposed auto mall and asked for the benefits of automobile dealerships. **Ms. Mackay** added that the land use would generate less traffic than the average commercial development. Ms. Mackay added that new developments of auto malls include extensive landscaping and enhanced development standards. Ms. Mackay noted that the auto mall would generate revenue for the Laveen community. **Vice Chair Hurd** asked for more information on what occurs in an auto mall. **Ms. Mackay** noted that a lot of commercial uses stay close to the area. Ms. Mackay added that some dealerships have begun integrating cafes or restaurants within their auto malls.

**Mr. Nasser-Taylor** asked for more information on the hospital and asked staff to bring up his portion of the presentation. Mr. Nasser-Taylor noted that centrally located hospitals are taller than those with more land mass. Mr. Nasser-Taylor wanted clarification on the height of the proposed hospital compared to the number of beds. Mr. Nasser-Taylor noted that a large number of in-patient beds would be required for a ten-story hospital. **Ms. Mackay** noted that a lot of hospitals begin with a few stories and increase over time.

**Chair Abegg** noticed that there were concerns with density and height and asked the committee for their opinion. Chair Abegg stated that Stipulation No. 1.ii has the maximum number of units. Chair Abegg noted that during the last meeting there was discussion to reduce residential to 20% of the site.

**Mr. Barraza** noted that it was hard to determine what commercial uses are going to be developed.

**Vice Chair Hurd** stated that she wanted everything to be commercial, but that CED has indicated that residential uses would be required to support commercial development. Vice Chair Hurd asked why there was a discrepancy between the GPA and PUD acreage. **Ms. Riddell** noted that there was a difference in acreage between the GPA and the PUD case because of right-of-way dedications.

**Chair Abegg** suggested 50% reserved for commercial and 50% for residential. **Ms. Jensen** asked for an explanation on the percentage. **Chair Abegg** stated that they added the acreage for the hospital, resort, and auto mall with a portion for other commercial uses. **Vice Chair Hurd** asked what the committee found appropriate.

**Chair Abegg** noted that they could also discuss the unit count. **Ms. Jensen, Mr. Barraza, and Mr. Nasser-Taylor** stated that a unit count would be a better way to limit residential uses. **Chair Abegg** noted that the developer could build at a higher density or a lower density with a unit maximum. **Vice Chair Hurd** noted that the PUD proposed a maximum of 2,200 units and 50% of the land to be dedicated for commercial. **Ms. Riddell** clarified that it would be a maximum of 1,700 with a 500-unit bonus if a hospital was built.

**Chair Abegg** stated her opinion on the percentage and number of units. Chair Abegg

stated that during the last meeting the committee considered reducing the unit cap to 1,700 which included the bonus. **Mr. Nasser-Taylor** suggested reducing the unit cap to a total of 1,200 including the bonus. **Chair Abegg** noted that the City Council will make the final decision and that the unit maximum or percentage would be continued to be discussed throughout the public hearing process.

**Ms. Perrera** voiced her concerns with modifying the unit maximum and the percentage. **Chair Abegg** stated that the goal would be to ensure maximum commercial development. **Ms. Perrera** suggested modifying the unit cap for the PUD based on community discussion. **Vice Chair Hurd** noted that she would like to lower both. **Ms. Perrera** noted that this could be a continued discussion.

**Ms. Perrera** asked Committee Member Rouse to voice her opinion on the unit cap. **Ms. Rouse** noted that the unit cap would be easier to track.

**Vice Chair Hurd** asked how the unit bonus is addressed with the hospital. **Ms. Mackay** noted that CED would be working with the hospital to discuss demand.

**Ms. Jensen** asked if the additional 500 units would be reserved for hospital staff. **Ms. Mackay** noted that that would be up to the hospital and if the hospital decided to buy land for dorm rooms for employees. **Ms. Mackay** noted that they would not be restrictive. **Chair Abegg** asked if this would be a private developer. **Ms. Riddell** noted that hospitals partner with private developers.

**Vice Chair Hurd** suggested 200 acres for commercial, 90 acres for residential and 1,200 units with a 500-unit bonus. **Mr. Nasser-Taylor** suggested a 250-unit bonus. **Ms. Mackay** noted that hospitals bring hundreds of jobs to an area and there is a need for residential units.

**Ms. Perrera** stated that the referral program for housing doesn't mean a lower rental rate. **Ms. Mackay** confirmed. **Ms. Perrera** asked if the 500 units were needed. **Ms. Mackay** stated that hospitals have a high residential demand to provide services quickly. **Ms. Mackay** noted that some rental units could assist patients that needed to be close to a hospital. **Ms. Perrera** noted that she was inclined to keep the 500-unit bonus.

**Mr. Nasser-Taylor** disagreed and noted that the exchange would yield about 800 units which would be a maximum of 1,300 units.

**Ms. Jensen** noted that the unit maximum and height restrictions would meet the goals of the community rather than land allocation. **Ms. Jensen** stated that she supported 1,200 units with a 500-unit bonus. **Ms. Mackay** noted that acreage is easier to track than percentage.

**Vice Chair Hurd** noted that the concern is density. **Ms. Perrera** voiced her concern with limiting too much residential which would negatively affect commercial

development.

**Vice Chair Hurd** asked the committee if they agreed to limiting the number of units. The committee voiced their agreement.

**Vice Chair Hurd** asked the committee if they agree to the 1,200-unit cap with a 500-unit bonus. **Mr. Barraza** asked if the height limitation would remain the same. **Vice Chair Hurd** confirmed. **Mr. Nasser-Taylor** voiced his opposition on the proposed maximum number of units.

**Vice Chair Hurd** asked staff if they have all the modification and additional stipulations.

**Chair Abegg** listed the modifications and additional stipulations. **Mrs. Sanchez Luna** noted that if the committee wanted to reduce the maximum number of units, an additional stipulation would be required. **Ms. Riddell** noted that Mr. Bzdel requested an average of 90-foot-wide lots for rectangular lots. **Chair Abegg** noted a modification to Stipulation No. 3 regarding unit tracking. **Ms. Sanchez Luna** asked for clarification. **Chair Abegg** noted that they would modify the stipulation to remove land use tracking. Chair Abegg modified Stipulation No. 12 regarding 55th Avenue and Stipulation No. 19 regarding the development agreement. Chair Abegg noted that the Tierra Montana community has voiced concerns with the height in Development Unit 1. Chair Abegg requested a modification to require a percentage of Development Unit 1 to be limited to 40-feet. **Mrs. Sanchez Luna** asked if the committee would like to modify it so 50% of it would be 40-feet. **Chair Abegg** clarified that it would be the area that only allows 40-feet.

**Chair Abegg** voiced that the community has requested senior living facilities but added that it could not be added to the rezoning case. **Ms. Riddell** noted that there is a commitment to provide senior living projects.

**Vice Chair Hurd** noted that self-service storage should be added to the prohibited list.

**Chair Abegg** stated that the notification list should include certain members of the community and the current committee.

**Mrs. Sanchez Luna** noted that a modification would be required to Stipulation No. 3 to track the percentage of height for Development Unit 1.

**Racelle Escolar**, staff, added that Stipulation No. 1.e also needed to be modified to address self-storage.

**Mr. Nasser-Taylor** stated that the memo eliminated the sale of one EV line. **Chair Abegg** confirmed that it was removed due to direction received from the Legal Department.



**Chair Abegg** asked if the agenda had the modified designations to reflect lower density residential. **Mrs. Sanchez Luna** stated that the agenda had the proposed land use map designations submitted by the applicant. **Chair Abegg** requested the land use map designations be modified to reflect adding designations that include lower density residential designations. **Mrs. Sanchez Luna** noted that they could add Residential 3.5 to 5 dwelling units per acre and 5 to 10 dwelling units per acre to all the areas that allow residential. **Chair Abegg** asked if they could add Residential 1 to 2 dwelling units per acre to Development Unit 8. **Mrs. Sanchez Luna** stated that the designation for Development Unit 8 also covered Development Unit 1. **Ms. Escobar** suggested adding Residential 1 to 2 dwelling units per acre, 3.5 to 5 dwelling units per acre, and 5 to 10 dwelling units per acre to all the designations that allow residential.

**Motion:**

**Vice Chair Stephanie Hurd** motioned to recommend approval, per the staff memo dated March 18, 2024, with modifications to:

- Stipulation No. 1.e to delete self-service storage from the permitted use list;
- Stipulation No. 1.n to add self-service storage to the prohibited list;
- Stipulation No. 1.jj to modify Footnote (1) to reduce the maximum number of units from 1,700 to 1,200;
- Stipulation No. 1.nn to update the development standards for Development Unit 8 to add that rectangular lots have an average width of 90 feet, replace 5% open space with 15%, and replace 12-inch overhangs with 18-inch;
- Stipulation No. 3 to remove land use tracking from the master tracking matrix and add height tracking for Development Unit 1;
- Stipulation No. 12 to add that the developer work with the Street Transportation Department to incorporate traffic mitigation measures; and
- Stipulation No. 19 to require that the developer investigate entering into a development agreement with the City regarding public infrastructure.

And to add stipulations for the following:

- Add a provision in the PUD Narrative to require that a maximum of 50% of Development Unit 1 that allows 40 feet in height can be developed up to the maximum height of 40 feet;
- Update Footnote (5) to replace the maximum 1,700 residential units with 1,200; and
- Prior to preliminary site plan approval for any development, the developer shall notify the following individuals: Phil Hertel, Jon Kimoto, John Bzdel, Maria Reagin, Linda Abegg, Stephanie Hurd, Francisco Barraza, JoAnne Jensen, Patrick Nasser-Taylor, Carlos Ortega, Rebecca Perrera, and Jennifer Rouse.

**Jennifer Rouse** seconded the motion.

**Substitute Motion:**

**Patrick Nasser-Taylor** made a substitute motioned to recommend approval, per the staff memo dated March 18, 2024, with same modifications and additions from the original motion, except to reduce the maximum number of units from 1,700 to 800.

**Francisco Barraza** seconded the motion.

**Mr. Nasser-Taylor** noted that with a 47% reduction for residential development results in 800 units and that the 500 bonus was required for the hospital.

**Mrs. Sanchez Luna** asked for clarification if the maximum would be 800 with a 500 bonus. **Mr. Nasser-Taylor** confirmed.

**Chair Abegg** noted that after discussion, she felt comfortable with the 1,200 unit maximum with a 500-unit bonus.

**Substitute Motion Vote:**

**2-6**, motion to recommend approval of Z-53-22-8 per the staff memo dated March 18, 2024, with modifications and additional stipulations fails with Committee Members Barraza and Nasser-Taylor in favor and Committee Members Jensen, Ortega, Perrera, Rouse, Hurd, and Abegg in opposition.

**Vote:**

**8-0**, motion to recommend approval of Z-53-22-8 per the staff memo dated March 18, 2024, with modifications and additional stipulations passed with Committee Members Barraza, Jensen, Nasser-Taylor, Ortega, Perrera, Rouse, Hurd, and Abegg in favor.

**Recommended Stipulations:**

1. An updated Development Narrative for the Gila Foothills PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped February 1, 2024, as modified by the following stipulations.
  - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
  - b. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses: Add a paragraph under the heading as follows:

All temporary uses shall comply with Section 708 of the Phoenix Zoning Ordinance.
  - c. Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses: Add a paragraph under the heading as follows:

The permitted land uses depicted below are restricted to the maximum square footage of the land use assumptions established in Appendix A2. Land Use Assumptions for Street Master Plan. Each developer shall be required to provide an updated land use matrix illustrating maximum land use square footages in compliance with Appendix A2. Land Use Assumptions for Street Master Plan. Amendments to increase these established land use assumptions may be administered through a PUD Minor Amendment and shall require an updated Traffic Impact Analysis incorporating the increased assumptions.

- D. PAGE 16, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNIT 1: ADD "SINGLE-FAMILY RESIDENTIAL."
- E. PAGE 16, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNITS 2, 3, AND 4A: **DELETE MODIFY** "SELF SERVICE STORAGE (LIMITED TO A MAXIMUM TOTAL OF **TWO ONE (2 1)** ACROSS THE ENTIRE PUD SITE **WITHIN THE HUB CHARACTER AREA**").
- ~~E.~~ Page 16, Section 3.2 Land Uses Per Development Unit, Permitted Land Uses, Development Units 2, 3, 4A: Add the following bullet point:
  - Hospitals
    - Minimum 100 inpatient beds required TO ACHIEVE THE ADDITIONAL 500 UNITS REFERENCED IN THE DEVELOPMENT STANDARDS TABLE 6: MISCELLANEOUS.
- G. PAGE 20, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNIT 5 AND 6: ADD THE FOLLOWING:
  - SINGLE-FAMILY RESIDENTIAL IS ALLOWED IN DEVELOPMENT UNIT 5.
- H. PAGE 20, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNITS 8: DELETE "ALL TYPES OF OFFICE."
- I. PAGE 20, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNIT 8: ADD THE FOLLOWING:
  - SINGLE-FAMILY RESIDENTIAL.

- J. PAGE 20, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNITS 8: ADD THE FOLLOWING:

PROFESSIONAL, MEDICAL, DENTAL AND ADMINISTRATIVE OFFICE USE INCLUDING CLERICAL OR SALES REPRESENTATIVE OFFICES. NO COMMODITY OR TANGIBLE PERSONAL PROPERTY, EITHER BY WAY OF INVENTORY OR SAMPLE, SHALL BE STORED, KEPT, OR EXHIBITED IN ANY SAID OFFICE OR ON THE PREMISES WHEREIN THE SAID OFFICE IS LOCATED EXCEPT MATERIALS ASSOCIATED WITH PROFESSIONAL OR MEDICAL PRACTICE. SUCH OFFICE USE SHALL NOT INCLUDE:

A. BRANCH OFFICES FOR THE FOLLOWING: BANKS, BUILDING AND LOAN ASSOCIATIONS, BROKAGE HOUSES, SAVINGS AND LOAD ASSOCIATIONS, FINANCE COMPANIES, TITLE INSURANCE COMPANIES, TITLE INSURANCE COMPANIES AND TRUST COMPANIES.

B. VETERINARY OFFICES.

- K. PAGE 21, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PERMITTED LAND USES, DEVELOPMENT UNIT 9A: ADD THE FOLLOWING:

- SINGLE-FAMILY RESIDENTIAL.

- ~~f.~~ Page 21, Section 3.2 Land Uses Per Development Unit, Permitted  
L. Land Uses, Development Unit 9B: Modify the third bullet point to "Alcohol sales as an accessory use."

- ~~e.~~ Page 21, Section 3.2 Land Uses Per Development Unit, Permitted  
M. Land Uses, Development Units 9A, 9B, and 10: Add a sub-bullet point under "Multifamily" as follows:

Only permitted if building permits for a resort have not been issued within ~~three~~ FIVE years of the dedication of Gila Foothills Parkway and no sooner than five years after the adoption of the PUD.

- N. PAGE 23, SECTION 3.2 LAND USES PER DEVELOPMENT UNIT, PROHIBITED LAND USES, ALL DEVELOPMENT UNITS: ADD **"SELF SERVICE STORAGE" AND "PAWN SHOPS"**.

- ~~g.~~  
O. Page 25, Section 3.3 Roadway Circulation, 51st Avenue: Remove all reference to “half-street improvements” and modify to “full limits” of 51st Avenue.
- ~~h.~~  
P. Page 28, Section 3.3 Roadway Circulation, Exhibit 11 – Conceptual Trail Plan: Modify to show the MUT on the south and west sides of Gila Foothills Parkway.
- ~~i.~~  
Q. Page 28, Section 3.3 Roadway Circulation, Exhibit 11 – Conceptual Trail Plan: Remove “or Planned” from the legend heading.
- R. PAGE 32, EXHIBIT 14, UPDATE TO REFLECT THE UPDATED MAXIMUM HEIGHT ALLOWED.
- S. PAGE 39, SECTION 4. DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE 1: BUILDING SETBACKS: UPDATE THE SETBACKS FOR DEVELOPMENT UNIT 10 ALONG GILA FOOTHILLS PARKWAY TO 25 FEET.
- ~~j.~~  
T. Page 39, Section 4. Development Standards, Development Standards Table 1: Building Setbacks: Add a row to the end of the table for the Property Line shared with South Mountain Park; and require a ~~25~~ 50-foot setback for Development Units 9A, 9B, and 10.
- ~~k.~~  
U. Page 41, Section 4. Development Standards, Development Standards Table 3: Landscape Buffers, 47th Avenue: Switch the provisions for Development Units 9A and 9B.
- ~~l.~~  
V. Page 41, Section 4. Development Standards, Development Standards Table 3: Landscape Buffers: Add a row to the end of the table for the Property Line shared with South Mountain Park, and require a ~~25~~ 50-foot buffer for Development Units 9A, 9B, and 10. Also add a footnote to see the South Mountain Perimeter Zone provisions on pages 64 and 95.
- W. PAGE 41, SECTION 4. DEVELOPMENT STANDARDS, TABLE 4: BUILDING HEIGHT, UPDATE THE MAXIMUM BUILDING HEIGHT FOR DEVELOPMENT UNITS 3, 4A, 4B, AND 6 TO ALLOW A MAXIMUM OF 40 FEET.
- X. PAGE 41, SECTION 4. DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE 4: BUILDING HEIGHT: MODIFY FOOTNOTE (1) AS FOLLOWS:

HOSPITAL USES MAY BE UP TO 120 FEET IN HEIGHT FOR UP TO 20% OF THE AREA OF THE DEVELOPMENT UNIT.

- Y. PAGE 41, SECTION 4. DEVELOPMENT STANDARDS,  
DEVELOPMENT STANDARDS TABLE 4: BUILDING HEIGHT: ADD  
FOOTNOTE (3) TO APPLY TO DEVELOPMENT UNITS 2, 3, 4A, 4B  
THAT STATES THE FOLLOWING:

PARKING GARAGES ACCESSORY TO AN AUTOMOBILE  
DEALERSHIP MAY BE UP TO 56 FEET IN HEIGHT.

- Z. PAGE 41, SECTION 4. DEVELOPMENT STANDARDS,  
DEVELOPMENT STANDARDS TABLE 4: BUILDING HEIGHT: ADD  
FOOTNOTE (4) TO APPLY TO DEVELOPMENT UNITS 9A, 9B, AND  
10 THAT STATES THE FOLLOWING:

RESORT USES MAY BE UP TO 48 FEET IN HEIGHT, SUBJECT TO  
DEVELOPMENT STANDARDS TABLE 5: BUILDING STEP BACK.

- AA. PAGE 41, SECTION 4. DEVELOPMENT STANDARDS,  
DEVELOPMENT STANDARDS TABLE 4: BUILDING HEIGHT: ADD  
A FOOTNOTE TO APPLY TO DEVELOPMENT UNIT 1 THAT  
STATES THE FOLLOWING:**

**A MAXIMUM OF 50% OF THE AREA THAT ALLOWS 40 FEET IN  
HEIGHT CAN BE DEVELOPED UP TO THE MAXIMUM HEIGHT OF  
40 FEET.**

- ~~AA.~~ PAGE 42, SECTION 4. DEVELOPMENT STANDARDS,  
~~BB.~~ DEVELOPMENT STANDARDS TABLE 5: BUILDING STEP BACK:  
UPDATE THE FIRST COLUMN REFERENCING THE PROPERTY  
LINE SHARED WITHIN TIERRA MONTANA AS FOLLOWS:

PROPERTY LINE SHARED WITH (OR MEASURED FROM) TIERRA  
MONTANA NEIGHBORHOOD

- ~~BB.~~ Page 42, Section 4. Development Standards, Development Standards  
~~CC.~~ Table 5: Building Step Backs, Gila Foothills Parkway and 51st Ave:  
Switch the provisions for Development Unit 6.

- ~~CC.~~ Page 42, Section 4. Development Standards, Development Standards  
~~DD.~~ Table 5: Building Step Backs: Add the following to the end of Footnote  
(3):

An additional foot of height will be allowed for every two additional feet  
of setback.

- ~~DD.~~ PAGE 42, SECTION 4. DEVELOPMENT STANDARDS,

- EE. DEVELOPMENT STANDARDS TABLE 5: BUILDING STEP BACK:  
ADD FOOTNOTE (7) TO DEVELOPMENT UNIT 2 THAT STATES  
THE FOLLOWING WITHIN THE "PROPERTY LINE SHARED WITH  
(OR MEASURED FROM) TIERRA MONTANA NEIGHBORHOOD"  
ROW IN THE TABLE:

56-FOOT MAXIMUM BUILDING HEIGHT WITHIN 900 FEET OF THE  
TIERRA MONTANA NEIGHBORHOOD.

- ~~EE.~~ PAGE 43, SECTION 4, DEVELOPMENT STANDARDS,  
FF. DEVELOPMENT STANDARDS TABLE 6: MISCELLANEOUS,  
MAXIMUM RESIDENTIAL DENSITY, DEVELOPMENT UNIT 8:  
UPDATE THE DENSITY TO 14 DU/AC; AND 2.34 DU/ACRE FOR  
THE FIRST 500 FEET; AND A FOOTNOTE THAT STATES THE  
FOLLOWING:

THE FIRST 500 FEET IS MEASURED FROM BOTH ESTRELLA  
DRIVE AND 47TH AVENUE TO CREATE AN "L" SHAPED  
DEVELOPMENT AREA. SEE DEVELOPMENT UNIT 8 DENSITY  
EXHIBIT AND TABLE 7 FOR SINGLE-FAMILY DEVELOPMENT  
STANDARDS.

- ~~p.~~ Page 43, Section 4. Development Standards, Development Standards  
~~FF.~~ Table 6: Miscellaneous: Delete the row for Maximum Number of Units.  
GG.

- ~~q.~~ Page 43, Section 4. Development Standards, DEVELOPMENT  
~~GG.~~ STANDARDS TABLE 6: Miscellaneous ~~Table~~, Parking Standards, first  
bullet: ~~Add "model" to the end.~~ DELETE THE FIRST BULLET  
HH. REGARDING THE SALE OF EV OR HYBRID AUTOMOBILES.

- ~~r.~~ Page 43, Section 4. Development Standards, DEVELOPMENT  
~~HH.~~ STANDARDS TABLE 6: Miscellaneous ~~Table~~, Parking Standards,  
II. fourth bullet: Remove "not to exceed 10 chargers."

- ~~s.~~ Page 43, Section 4. Development Standards, Development Standards  
~~II.~~ Table 6: Miscellaneous, Footnotes: Modify ~~the end of~~ Footnote (1) ~~to~~  
JJ. ~~add the following~~ AS FOLLOWS:

THE ENTIRE OVERALL PUD SITE MAY BE DEVELOPED WITH A  
MAXIMUM OF ~~1,700~~ **1,200** RESIDENTIAL UNITS. HOTEL GUEST  
ROOMS DO NOT COUNT TOWARDS THE MAXIMUM ~~1,700~~ **1,200**  
DWELLING UNITS FOR THE OVERALL PUD SITE. UPON  
CERTIFICATE OF OCCUPANCY OF A LEVEL 1 TRAUMA CENTER  
HOSPITAL, AS DEFINED BY THE ARIZONA DEPARTMENT OF  
HEALTH SERVICES, IN DEVELOPMENT UNIT 2 AN ADDITIONAL

500 DWELLING UNITS ABOVE THE ~~1,700~~ **1,200** CAP ARE PERMITTED WITH DEVELOPMENT UNITS 2 AND 5. Additional review and approval is required for ~~the additional 500 units~~ ANY MULTIFAMILY DEVELOPMENT IN DEVELOPMENT UNITS 2, 5 AND 10 THAT EXCEEDS 40 FEET IN HEIGHT, per Z-53-22-8 stipulation.

**KK. PAGE 43, SECTION 4. DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE 6: MISCELLANEOUS, FOOTNOTE (5): UPDATE TO REPLACE MAXIMUM 1,700 RESIDENTIAL UNITS WITH 1,200.**

~~o.~~  
~~jj.~~  
LL. Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Maximum Residential Density: Add Footnote (2) to Development Unit 2.

~~t.~~ ~~Page 43, Section 4. Development Standards, Development Standards Table 6: Miscellaneous, Footnotes, add Footnote (6) that states the following and apply it to Development Units 9A, 9B, and 10:~~

~~Additional review and approval is required for any multifamily development that is not associated with a resort per Z-53-22-8 stipulation.~~

~~KK.~~  
MM. PAGE 43, SECTION 4. DEVELOPMENT STANDARDS, DEVELOPMENT STANDARDS TABLE 6: MISCELLANEOUS, FOOTNOTES: ADD A FOOTNOTE THAT STATES THE FOLLOWING AND APPLY IT TO DEVELOPMENT UNITS 9A, 9B AND 10:

FOR ANY MULTIFAMILY DEVELOPMENT NOT ASSOCIATED WITH A RESORT ON DEVELOPMENT UNITS 9A, 9B AND 10, CONCEPTUAL SITE PLANS, ELEVATIONS, AND LANDSCAPE PLANS SHALL BE REVIEWED AND APPROVED BY THE PLANNING HEARING OFFICER THROUGH THE PUBLIC HEARING PROCESS, INCLUDING REVIEW BY THE LAVEEN VILLAGE PLANNING COMMITTEE PRIOR TO PRELIMINARY SITE PLAN APPROVAL. THIS IS A LEGISLATIVE REVIEW FOR CONCEPTUAL PURPOSES ONLY. SPECIFIC DEVELOPMENT STANDARDS AND REQUIREMENTS WILL BE DETERMINED BY THE PLANNING HEARING OFFICER AND THE PLANNING AND DEVELOPMENT DEPARTMENT.

~~LL.~~  
NN. PAGE 43, SECTION 4. DEVELOPMENT STANDARDS: ADD DEVELOPMENT STANDARDS TABLE 7: DEVELOPMENT STANDARDS FOR SINGLE-FAMILY DEVELOPMENT. THIS TABLE WILL ADDRESS SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS TO INCLUDE THE FOLLOWING:



- SELECT R1-18 LOT STANDARDS
- RESTRICTED TO 1-STORY AND 22 FEET IN HEIGHT FOR THE LOTS ALONG ESTRELLA DRIVE AND 47TH AVENUE. ALL THE INTERIOR LOTS ARE ALLOWED TO BE 2-STORIES WITH UP TO 30 FEET IN HEIGHT.
- **RECTANGULAR LOTS SHALL HAVE AN AVERAGE LOT WIDTH OF 90 FEET.**
- MINIMUM 22-FOOT-LONG DRIVEWAYS
- MINIMUM ~~5~~ **15**% OPEN SPACE.
- MINIMUM ROOF OVERHANG OF ~~12~~ **18** INCHES.

~~MM.~~ PAGE 43-44, SECTION 4, DEVELOPMENT STANDARDS: ADD  
~~OO.~~ DEVELOPMENT UNIT 8 DENSITY EXHIBIT TO VISUALLY  
DEMONSTRATE THE “L” SHAPED AREA MEASURED 500 FEET  
FROM BOTH ESTRELLA DRIVE AND 47TH AVENUE.

~~tt.~~ Page 45, Section 4. Development Standards, Landscape Standards,  
~~NN.~~ Landscape Standards Table 1: Landscape Setbacks: Update title to  
~~PP.~~ Landscape Standards Table 1: Landscape Plant Types.

~~vv.~~ Page 46, Section 4. Development Standards, Landscape Standards,  
~~oo.~~ Landscape Standards Table 2: Enhanced Streetscape R.O.W  
~~QQ.~~ Planting: Modify the title to “Landscape Standards Table 2: Enhanced  
Streetscape R.O.W. Planting and Public Shade Standards”.

~~ww.~~ Page 46, Section 4. Development Standards, Landscape Standards  
~~pp.~~ Table 2: Enhanced Streetscape R.O.W Planting: Revise sidewalk  
~~RR.~~ shading to show all sidewalk shading in the Hub Character Area to no  
less than 50%.

~~xx.~~ Page 46, Section 4. Development Standards, Landscape Standards  
~~qq.~~ Table 2: Enhanced Streetscape R.O.W Planting, Notes, fifth bullet  
~~SS.~~ (Shade Pockets): Add the following as a sub-bullet point:

All public sidewalks adjacent to Automobile Dealership, Automobile Retail Sales, and Automobile Rental: A minimum 25% shade is required along sidewalk areas located between shade pockets. Overall shade coverage shall equal a total of 50% inclusive of shade pockets and the intermittent areas between shade pockets. All other uses within the HUB character area shall require a minimum 75% shade of public sidewalks.

~~yy.~~ Page 46, Section 4. Development Standards, Landscape Standards  
~~rr.~~ Table 2: Enhanced Streetscape R.O.W Planting: Add a note as

TT. follows:

Upon redevelopment of a site formerly used for Automobile Dealership, Automobile Retail Sales, or Automobile Rental into Non-Automobile Dealership, Automobile Retail Sales, or Automobile Rental, right-of-way landscaping and shade requirements shall meet the 75% shade standard.

~~z.~~ Page 46-47, Section 4. Development Standards, Landscape  
~~ss.~~ Standards Table 2: Enhanced Streetscape R.O.W Planting: Add a  
UU. footnote to apply to all provisions for medians as follows:

All modified median landscaping deviating from City of Phoenix standard landscape requirements shall be privately maintained and identified on the approved master street plan and associated plats.

~~aa.~~ Page 47, Section 4. Development Standards, Landscape Standards  
~~tt.~~ Table 2: Enhanced Streetscape R.O.W Planting: Add a footnote to  
VV. apply to Development Units 3, 6, and 4A as follows:

51st Avenue, SOUTH OF ESTRELLA DRIVE, is located within Maricopa County jurisdiction. Any street improvements or landscaping on 51st Avenue are subject to the review and approval of Maricopa County.

~~bb.~~ Page 50, Section 5. Signage, Off Premise Signage: Update the end of  
~~uu.~~ the second bullet point as follows:  
WW.

...design to be presented for review and comment to the Laveen Village Planning Committee.

~~ee.~~ Page 52, Section 6. Sustainability: Add a provision for recycling as the  
~~vv.~~ last bullet point.  
XX.

~~www.~~ PAGE 52, SECTION 6, SUSTAINABILITY:  
YY.

(1) UPDATE THE LAST SENTENCE IN THE FIRST PARAGRAPH AS FOLLOWS:

DEVELOPMENT PARCELS MUST INCORPORATE ALL THE FOLLOWING SUSTAINABILITY PRINCIPLES:

(2) ADD BULLET POINTS 2, 6, 9, AND 14 UNDER THE REQUIRED SUSTAINABILITY PRINCIPLES.

- (3) AFTER THE REQUIRED SUSTAINABILITY ITEMS, ADD THE FOLLOWING:

A MINIMUM OF THREE OPTIONAL SUSTAINABILITY PRINCIPLES SHALL BE SELECTED FROM THE OPTIONS BELOW, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- (4) ADD THE REMAINING SUSTAINABILITY ITEMS (BULLET POINTS 1, 3, 4, 5, 7, 8, 10, 11, 12, 13, 15, 16) UNDER THE OPTIONAL SUSTAINABILITY PRINCIPLES, AND INCLUDE UPGRADED HVAC UNITS AT 15 SEER OR HIGHER.

- (5) UPDATE BULLET POINT 14 AS FOLLOWS:

THE DEVELOPMENT WILL PROVIDE SAFE, RELIABLE, AND EFFICIENT STORMWATER MANAGEMENT SYSTEMS THAT PROTECT BOTH HUMAN HEALTH AND THE NATURAL ENVIRONMENT.

~~dd.~~ Page 57, Section 7. Complete Streets, Design for Safety: Remove the  
~~xx.~~ second and third paragraphs.  
~~zz.~~

~~yy.~~ PAGE 69, PART 2 - DESIGN GUIDELINES, FOOTHILLS  
AAA. CHARACTER AREA, 2.1 SITE AND BUILDING DESIGN, C.  
ARCHITECTURAL STYLE AND CHARACTER: ADD A BULLET TO  
INCLUDE THE FOLLOWING:

BUILDING FAÇADES ON ALL MULTIFAMILY DEVELOPMENT, FACING PUBLICLY DEDICATED RIGHT-OF-WAY THAT EXCEEDS 75 FEET IN LENGTH, SHALL CONTAIN A MINIMUM OF ONE ARCHITECTURAL EMBELLISHMENT AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION, SHADOW BOXES AND OVERHEAD/CANOPIES EVERY 75 LINEAR FEET.

~~zz.~~ PAGE 86 PART 2 - DESIGN GUIDELINES, FOOTHILLS  
BBB. CHARACTER AREA, 2.3 LANDSCAPING, B. SITE WALLS, SCREENS, AND FENCES: UPDATE THIS SECTION TO REQUIRE THE FOLLOWING ALONG ESTRELLA DRIVE AND 47TH AVENUE: 6-FOOT PAINTED CMU PERIMETER WALLS AND TUBULAR MILD STEEL OR PIPE FENCING (ALLOWED TO TARNISH/RUST NATURALLY), IMPLEMENTED IN SEGMENTS THAT CONFORM TO INDUSTRY STANDARD LENGTHS.

~~AAA.~~ PAGE 92, PART 2 - DESIGN GUIDELINES, FOOTHILLS  
~~CCC.~~ CHARACTER AREA, 2.3 LANDSCAPING, G. GENERAL  
LANDSCAPING REQUIREMENTS: ADD THE FOLLOWING:

LOWER-LEVEL LANDSCAPING IS PREFERRED BETWEEN ANY  
PERIMETER WALLS AND A POSSIBLE BRIDLEPATH ALONG 47TH  
AVENUE.

~~BBB.~~ PAGE 93, PART 2 - DESIGN GUIDELINES, FOOTHILLS  
~~DDD.~~ CHARACTER AREA, 2.3 LANDSCAPING, I. SITE LIGHTING: ADD  
THE FOLLOWING PARAGRAPH:

IF PRIVATE STREETS ARE PROPOSED IN SINGLE-FAMILY  
RESIDENTIAL SUBDIVISIONS, MINIMAL STREET LIGHTING SHALL  
BE CONSIDERED.

~~ee.~~ Page 95, Foothills Character Area, 2.3 Landscaping, j. Perimeter  
~~CCC.~~ Treatments, South Mountain Perimeter Treatment: Delete the last  
~~EEE.~~ paragraph.

~~DDD.~~ PAGE 99, PART 2 - DESIGN GUIDELINES, DISTRICT CHARACTER  
~~FFF.~~ AREA, 3.1 SITE AND BUILDING DESIGN, C. ARCHITECTURAL  
STYLE AND CHARACTER: ADD A BULLET TO INCLUDE THE  
FOLLOWING:

BUILDING FAÇADES ON ALL MULTIFAMILY DEVELOPMENT,  
FACING PUBLICLY DEDICATED RIGHT-OF-WAY THAT EXCEEDS  
75 FEET IN LENGTH, SHALL CONTAIN A MINIMUM OF ONE  
ARCHITECTURAL EMBELLISHMENT AND DETAILING SUCH AS  
TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES,  
WINDOW FENESTRATION, SHADOW BOXES AND  
OVERHEAD/CANOPIES EVERY 75 LINEAR FEET.

~~ff.~~ Page 103, The District Character Area, 3.1 Site and Building Design,  
~~EEE.~~ 2. Circulation: Remove Section 2.b.  
~~GGG.~~

~~FFF.~~ PAGE 123, PART 2 - DESIGN GUIDELINES, HUB CHARACTER  
~~HHH.~~ AREA, 1. SITE AND BUILDING DESIGN, B. ARCHITECTURAL  
STYLE AND CHARACTER: ADD A BULLET TO INCLUDE THE  
FOLLOWING:

BUILDING FAÇADES ON ALL MULTIFAMILY DEVELOPMENT,  
FACING PUBLICLY DEDICATED RIGHT-OF-WAY THAT EXCEEDS

75 FEET IN LENGTH, SHALL CONTAIN A MINIMUM OF ONE ARCHITECTURAL EMBELLISHMENT AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, WINDOW FENESTRATION, SHADOW BOXES AND OVERHEAD/CANOPIES EVERY 75 LINEAR FEET.

~~gg.~~  
~~GGG.~~  
III. Page 142, The Hub Character Area, 2. Circulation, C. Street Design and Landscape Character, Shade Pockets: Update Exhibit H9 to reflect the minimum 25% shade along sidewalk areas between shade pockets and overall shade coverage to total 50% and all uses within the HUB to a minimum 75% shade as required by Stipulation No. 1.~~y~~ SS.

~~hh.~~  
~~HHH.~~  
JJJ. Page 143, The Hub Character Area, 2. Circulation, C. Street Design and Landscape Character, Shade Pockets, Conceptual Shade Pocket Detail A, B1, and B2: Update Detail A, B1, and B2 to reflect the required shading requirements per Stipulation No. 1.~~y~~ SS.

~~ii.~~  
~~III.~~  
KKK. Update all exhibits to include the 55th Avenue connection from the existing northern stub to Estrella Avenue.

~~jj.~~  
~~JJJ.~~  
LLL. Submit legal descriptions for all development units as an appendix to the PUD narrative.

~~KKK.~~  
MMM. UPDATE ANY TYPOGRAPHICAL OR SCRIVENER'S ERRORS THROUGHOUT.

2. ~~Where additional review and approval is required in the PUD narrative related to the additional 500 residential dwelling units granted with the construction of a hospital and~~ ANY MULTIFAMILY DEVELOPMENT IN DEVELOPMENT UNITS 2, 5 and 10 THAT EXCEEDS 40 FEET IN HEIGHT any multifamily development in Development Units 9A, 9B, and 10, that is not associated with a resort, SHALL HAVE conceptual site plans, elevations, and landscape plans ~~shall be~~ reviewed and approved by the Planning Hearing Officer through the public hearing process, including review by Laveen Village Planning Committee prior to preliminary site plan approval. This is a legislative review for conceptual purposes only. Specific development standards and requirements will be determined by the Planning Hearing Officer and the Planning and Development Department.

3. A Master ~~LAND USE HEIGHT~~ AND Density Tracking Matrix shall be provided and updated on all site plan submittals, ~~REGARDLESS OF USE~~, to track the number of units ~~AND PERCENTAGE OF LAND USE~~ within the PUD area **AND THE BUILDING HEIGHT WITHIN DEVELOPMENT UNIT 1.**

~~**A MINIMUM OF 50% OF THE PUD SITE AREA (288.63 ACRES) SHALL BE DEVELOPED WITH COMMERCIAL USES. ANY RESORT DEVELOPMENT SHALL BE CONSIDERED COMMERCIAL DEVELOPMENT.**~~ UPON RESUBMITTAL OF A POST-COUNCIL HEARING DRAFT OF THE PUD NARRATIVE, A MASTER ~~**LAND USE**~~ HEIGHT AND DENSITY TRACKING MATRIX FORMAT SHALL BE ADDED AS AN APPENDIX.

4. The applicant shall submit a Traffic Impact Analysis (TIA) to the City for this development and update the existing Tierra Montana Master Street Plans associated with the Segment Two development area. The TIA shall be submitted to ADOT and MCDOT for interagency review. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City.
5. The developer shall update the existing Tierra Montana Master Street Plan for inclusion of Segment Two network. Phasing sheet to be updated to include roadway networks to be completed by Segment Two development within existing Segment One as per the required updated Traffic Impact Analysis. Roadways located within Segment two that are not under the jurisdiction of the City of Phoenix shall require review and approval with the corresponding jurisdiction.
6. The developer shall design and install, at their expense, traffic signals and or roundabouts at locations approved by the TIA and updated Master Street Plan. The developer shall be responsible for the construction and/or escrow contribution, as approved by the TIA and Master Street Plans. Stipulation subject to change based on TIA comments for signal location evaluation and funding responsibility.
7. The developer shall dedicate and construct roadway, paving, curb, gutter, detached sidewalk, traffic signal infrastructure, and other necessary incidentals for all arterial and collector roadways as per the approved TIA and Master Street Plan.
8. The developer shall provide access control at locations in accordance with the City's Design Standards Manual and/or as approved per the Master Street Plan.
9. The full limits of 51st Avenue shall be dedicated and constructed north of Estrella Drive to Carver Road, per the cross-section approved in the master street plan.
10. The full limits of 51st Avenue shall be dedicated and constructed south of Estrella Drive, as approved by Maricopa County. Should 51st Avenue be annexed into the City of Phoenix, right-of-way dedications and improvements shall be required to meet City of Phoenix standards.

11. Right-of-way shall be dedicated and constructed for the west side of 47th Avenue, as required by the approved master street plans. **SHOULD A REQUEST BE SUBMITTED TO ABANDON 47TH AVE, IT SHALL BE CONSIDERED THROUGH A FORMAL HEARING PROCESS PRIOR TO OR CONCURRENT WITH THE TIA AND APPROVED MASTER STREET PLAN.**
12. A minimum 60-feet of right-of-way shall be dedicated and constructed for the full limits of 55th Avenue. **THE DEVELOPER SHALL WORK WITH THE STREET TRANSPORTATION DEPARTMENT TO INCORPORATE TRAFFIC MITIGATION MEASURES.**
13. All modified median landscaping deviating from City of Phoenix standard landscape requirements shall be privately maintained and identified on the approved master street plan and associated plats.
14. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the east side of 51st Avenue, south of Estrella Drive. Construction of the multi-use trail shall be to City standards.
15. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the north side of Estrella Drive, WEST OF 51ST AVENUE. Construction of the multi-use trail shall be to City standards.
16. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the south and west sides of Gila Foothills Parkway, as depicted on Exhibit 11 – Conceptual Trail Plan. Construction of the multi-use trail shall be to City standards.
17. A minimum 30-foot-wide multi-use trail easement (MUTE) shall be dedicated on the north side of 55th Avenue, connecting to 51st Avenue. Construction of the multi-use trail shall be to City standards.
18. The developer shall convey land, if necessary, located at the end of Gila Foothills Parkway as a trailhead to South Mountain Preserve, as modified and approved by the Parks and Recreation Department and Planning and Development Department. The final acreage and configuration of the property to be conveyed, along with timing of the conveyance, shall be mutually agreed upon by the developer, the Parks and Recreation Department, and Planning and Development Department.
19. The developer shall **INVESTIGATE** entering into a development agreement with the City regarding ~~the location and construction of a parking lot for the trailhead at the end of Gila Foothills Parkway, as approved or modified by the Parks and Recreation Department and Planning and Development Department~~ **PUBLIC INFRASTRUCTURE.**

20. The developer shall underground existing electrical utilities within the public right-of-way that are impacted or require relocation, excluding 69kv or larger, as part of this project. The developer shall coordinate with the affected utility companies for their review and permitting.
21. Existing irrigation facilities along all public streets are to be undergrounded and relocated outside of City right-of-way, UNLESS OTHERWISE APPROVED BY THE STREET TRANSPORTATION DEPARTMENT. 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, or as approved by the Planning and Development Department.~~
22. ALL MAJOR PUBLIC INFRASTRUCTURE SHALL BE CONSTRUCTED AS PART OF THE FIRST PHASE OF CONSTRUCTION, SUBJECT TO A DEVELOPMENT AGREEMENT WITH THE CITY OF PHOENIX AND AN UPDATED STREETS MASTER PLAN, INCLUDING THE FOLLOWING: 51ST AVENUE FROM THE LOOP 202 FREEWAY ON THE SOUTH TO CARVER ROAD; GILA FOOTHILLS PARKWAY; ESTRELLA DRIVE FROM THE LOOP 202 FREEWAY ON THE WEST TO 47TH AVENUE; 47TH AVENUE ADJACENT TO THE SITE (UNLESS ABANDONED); AND 55TH AVENUE AS REQUIRED BY THE CITY OF PHOENIX. THIS WILL ALSO INCLUDE ANY REQUIRED WATER, SEWER, AND STORMWATER INFRASTRUCTURE.
23. THE PROPOSED "COUNTY LANE" SHALL BE SHIFTED SO AS NOT TO DIRECTLY ALIGN WITH THE FRONT ENTRY OF ANY EXISTING RESIDENTIAL HOMES. THE FINAL LOCATION SHALL BE DETERMINED AT THE TIME OF MASTER STREET PLAN, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT AND THE STREET TRANSPORTATION DEPARTMENT.
- ~~22.~~ 24. 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.
- ~~23.~~ 25. 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.
- ~~24.~~ 26. 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.

~~25.~~ In the event archaeological materials are encountered during construction, the  
27. 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.

~~26.~~ Prior to final site plan approval, the landowner shall execute a Proposition 207  
28. 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.

29. THE PROPERTY OWNER, OR DESIGNEE, SHALL PROVIDE ANNUAL LAND DEVELOPMENT UPDATES ON THE STATUS OF DEVELOPMENT WITHIN THE PUD TO THE LAVEEN VILLAGE PLANNING COMMITTEE UNTIL ALL LAND IN THE HUB CHARACTER AREA AND DEVELOPMENT UNITS 9A AND 9B HAVE PRELIMINARY SITE PLAN APPROVAL.

30. **PRIOR TO PRELIMINARY SITE PLAN APPROVAL FOR ANY DEVELOPMENT WITHIN THE PUD, THE DEVELOPER SHALL NOTIFY THE FOLLOWING INDIVIDUALS:**

**PHIL HERTEL  
2845 W. BROADWAY ROAD  
PHOENIX, AZ 85041**

**JON KIMOTO  
3216 W. ANSELL ROAD  
LAVEEN, AZ 85339**

**JOHN BZDEL  
12120 S. 39TH AVENUE  
LAVEEN, AZ 85339**

**MARIA REAGIN  
4131 W. CALLE POCO  
LAVEEN, AZ 85339**

**LINDA ABEGG  
5407 W. WINSTON DRIVE  
LAVEEN, AZ 85339**

**STEPHANIE HURD  
10207 S. 47TH AVENUE  
LAVEEN, AZ 85339**

**FRANCISCO BARRAZA  
4152 W. ALLEN STREET  
LAVEEN, AZ 85339**

**JOANNE JENSEN  
8303 S. 17TH DRIVE  
PHOENIX, AZ 85041**

**PATRICK NASSER-TAYLOR  
11024 S. 56TH LANE  
LAVEEN, AZ 85339**

**CARLOS ORTEGA  
7006 S. 40TH LANE  
PHOENIX, AZ 85041**

**REBECCA PERRERA  
7914 S. 73RD LANE  
LAVEEN, AZ 85339**

**JENNIFER ROUSE  
4821 W. ELLIS STREET  
LAVEEN, AZ 85339**

**Staff comments regarding VPC Recommendation:**

Staff recommends that Stipulation No. 1.AA be clarified that 50% of the area within Development Unit 1 which permits 40 feet in height be permitted 40 feet, and the remaining 50% be limited to a maximum of 30 feet in height.

Staff recommends Stipulation No. 1.Z be modified to remove Development Unit 10, which already has a maximum height of 56 feet.

Staff recommends that Stipulation No. 1.JJ and 2 be modified to remove the first reference to Development Unit 10, as any multifamily development not associated with the resort, regardless of height, is subject to additional review and approval per Stipulation No. 1.MM.