

Attachment C

Planning Hearing Officer Summary of December 18, 2019
Application Z-97-02-7
Page 1

REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer

Julianna Pierre, Planner I, Assisting

December 18, 2019

ITEM 5

DISTRICT 7

SUBJECT:

Application #: Z-97-02-7 (PHO-1-19)
Zoning: R-3A
Location: Approximately 900 feet north of the northwest corner of 51st Avenue and Baseline Road
Acreage: 22.14
Request: 1) Modification of Stipulation 1 regarding general conformance to the site plan date stamped August 14, 2002.
2) Planning Hearing Officer review and approval of elevations per Stipulation 3.
3) Technical corrections to 1.E, 1.F, 2, 4.B, 5, and 16.
Applicant: Lance D. Baker, AIA
Owner: Mark Williams, Grande Valley Ventures
Representative: Lance D. Baker, AIA

ACTIONS

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on December 9, 2019 and recommended approval with additional stipulations by a 9-0 vote.

DISCUSSION

Lance Baker, applicant and representative with Synectic Design Inc., stated that the proposed site plan depicted a multifamily residential development on a portion of the site and that there is a future phase area that the ownership intended to rezone in the near future for commercial uses. He stated that the applicant is requesting modification of Stipulation 1, regarding general conformance to the site plan date stamped August 14, 2002, and Planning Hearing Officer review and approval of elevations per Stipulation 3. He noted that the originally stipulated multifamily proposal was for 540 units of 3-story garden style walk up apartments and the new proposed development is a single-family rental community.

Mark Williams, owner with Grande Valley Ventures, stated that he had a rezoning pre-application meeting in April 2017 regarding the future commercial portion of the site and

at the time did not have a user for the balance of the site. He stated that he began developing the site plan for the residential portion in 2018. He added that he did intend to rezone the commercial portion of the site sometime in the near future.

Adam Stranieri stated that the Laveen Village Planning Committee (VPC) recommended approval of the request with six additional stipulations by a vote of 9-0. The first stipulation recommended by the Laveen VPC was a minimum of 10% open space. Mr. Stranieri asked for clarification regarding the amount of open space shown on the site plan. Mr. Baker stated that the common open space was depicted in a table on the site plan and showed 11.1% (77,870 square feet) of open space provided. He stated that he had no issue with the stipulation recommended by the Laveen VPC since the applicant exceeded the requirement.

Mr. Stranieri stated that the second stipulation recommended by the Laveen VPC was a maximum of 220 units. He stated that the 10% deviation allowed with general conformance would only allow for 238 units maximum. Mr. Baker stated that he would want flexibility to allow for 250 units maximum. Mr. Stranieri noted that the stipulated site plan depicted 540 units and the applicant was providing a reduction of 60%. He stated that he was inclined to retain the stipulation as Laveen VPC recommended. Mr. Baker stated that he had no issue with retaining the language as recommended.

Mr. Stranieri stated that the third stipulation recommended by the Laveen VPC was for elevations to have a minimum of 20% non-stucco material. Mr. Baker stated that he had concerns with that recommendation. He stated that the elevations are mainly stucco, but also have board and batten elements around the entries, rafters and columns. He stated that the applicant studied the surrounding area and most every development was predominantly stucco. Mr. Stranieri stated that he had concerns about implementing this stipulation because he would not be able to introduce the general conformance requirement in conjunction with the stucco requirement and have the elevations be within a 10% deviation. He stated that the Zoning Ordinance only discussed stucco limitations in the Mixed Use Agricultural district (Stucco, not to exceed 70% of the exterior wall surface area, Section 649.J.5.a.6) and Downtown Code – Warehouse Character Area (Stucco finishes shall be limited to no more than 25% of all facades visible from off site, Section 1222.C.7.c). He stated that general conformance coupled with a stipulation regarding four-sided architecture would be appropriate. He added that the elevations featured variation in window sizes, wood detailing, coach lights and split pane windows, which provide enhanced design elements. Mr. Stranieri asked about the wood banding separating the color changes. Mr. Baker clarified that there is a change in the thickness of the stucco that provides the banding effect. He noted that the elevations have evolved to try to address the Laveen Citizens for Responsible Development (LCRD) and Laveen VPC concerns. Mr. Stranieri asked if the applicant had any objection to the four-sided architecture stipulation. Mr. Baker stated that he had no objection and addressed the stipulation with the most recent elevations.

Mr. Stranieri stated that the fourth stipulation recommended by the Laveen VPC was for landscape materials to match properties to the north and south. Mr. Stranieri stated that the C-2 zoned property to the south would have plants with significantly different needs

and watering requirements. He stated that he was inclined to adopt the stipulation but would add language to provide flexibility. He stated that the applicant could provide landscape materials that are compatible with or complementary to existing landscaping on adjacent properties.

Mr. Stranieri stated that the fifth stipulation recommended by the Laveen VPC was for a gated development. Mr. Baker noted that the product type already provided gates, so he had no issue with that stipulation.

Mr. Stranieri stated that the sixth stipulation recommended by the Laveen VPC was for the applicant to return to the VPC prior to preliminary site plan approval with a detailed landscape plan, fence plan, playground locations, final elevations, detailed lighting plan, and monument sign plan. Mr. Baker stated that he had no issue going back to the VPC with all the requested materials. Mr. Stranieri noted that the review and comment is not a legislative review process requiring City Council approval.

Mr. Stranieri stated that he received comments from the Pedestrian Safety Coordinator regarding connection to the existing pedestrian corridor to the south and unfinished pedestrian corridor to the north. He stated that he was not inclined to adopt the recommendation regarding the pedestrian corridor to the south because it connected to the proposed commercial portion of the site and there was no information regarding the proposed site plan for this area at this time. He stated that there would be an additional stipulation requiring the commercial portion of the site (depicted as future phase on the site plan) to come back to PHO regarding site plan and elevations. He stated that the residential development to the north built half of a pedestrian pathway across the Laveen Area Conveyance Channel (LACC). He stated that the recommended stipulation regarding the pedestrian pathway to the north would include language to allow flexibility for what the Parks and Recreation Department will or will not allow in this location. Mr. Williams stated that he was okay with providing a connection that was on grade, but not a bridge. Mr. Williams stated that he was fine with the stipulation as long as it did not prevent the applicant from continuing to site plan review.

Mr. Stranieri stated that he received a recommendation from the Street Transportation Department asking for the developer to provide a minimum of four pedestrian connections from the development to the stipulated multi-use trail system on the south side of the LACC. He noted that the applicant's original and revised site plan both depicted those connections. He stated that the Street Transportation Department also requested that the developer provide a pedestrian connection to the bus stop located to the northwest of the subject site. Mr. Baker stated that they already intended to provide that connection and had no issue with the stipulation.

FINDINGS

- 1) The subject property of this request consists of approximately 19.95 gross acres zoned R-3A, only a portion of the 70.85 gross acres originally included in rezoning case no. Z-97-02. The proposed multifamily residential development constitutes approximately 16.09 gross acres. The remaining approximately 3.86 gross acres depicted on the conceptual site plan as "Future – Not a Part" would

be left without site plan or building elevation conformance requirements by this request as no development is depicted. Therefore, an additional stipulation is recommended to require a Planning Hearing Officer legislative review for plans for this area once a project is proposed.

- 2) The conceptual site plan depicts a 217-unit multifamily residential development comprising detached, free-standing units and duplex units. at a density of approximately 13.48 dwelling units per gross acre. Units include a mix of 1, 2, and 3 bedrooms with a maximum height of 2 stories and 30-feet. There are 170 units identified as single-story. The proposed common open space is 11.1%

This proposal is significantly less dense than the stipulated site plan which proposed a multifamily apartment complex with 540 units and a density of approximately 20.2 dwelling units per gross acre. The current proposal is more consistent and compatible with residential development in the surrounding area, which is dominated by single-family residential subdivisions in the R1-6 and R1-8 zoning districts. The proposal also provides an appropriate transition from intermediate commercial development along Baseline Road and the single-family developments to the north while contributing to housing diversity in the area.

- 3) The Laveen Village Planning Committee recommended additional stipulations limiting the development to a maximum of 220 units, providing a minimum of 10% open space, and requiring the development to be gated. The proposed unit cap constitutes a 1.38% increase (3 units) above the proposed 217 units. The proposed open space requirement is double the Zoning Ordinance requirement (5% common area of the gross project) and is consistent with other development in the surrounding area and community goals to promote enhanced open spaces and a rural character. The applicant is amenable to these conditions and the stipulations are recommended.
- 4) The building elevations include a variety of architectural features and details including divided-lite and/or double-hung windows, variation in window size, wood detailing, coach lights, metal work, gable ornamentation, popouts, and recesses. General conformance is recommended to the elevations. The Laveen Village Planning Committee recommended a stipulation requiring a maximum of 20% of the exterior building elevations include stucco. The applicant stated that this may be prohibitively expensive and would not permit the proposed designs. This stipulation would also conflict with the general conformance requirement. Additionally, the percentage is considerably more restrictive than other similar Ordinance requirements regarding stucco. For example, the Mixed-Use Agricultural zoning district, which limits stucco to 70% of the exterior wall surface for commercial land uses. An alternative stipulation is recommended requiring the developer to implement four-sided architectural detailing on all building elevations. This requirement would allow a more diverse range of features to improve building diversity and visual interest.
- 5) The Pedestrian Safety Coordinator with the Street Transportation Department recommends the developer provide two pedestrian pathway connections. The

first is to an existing pathway that was constructed and built for future connectivity near the southeast corner of the site on the adjacent commercial property. This connection is adjacent to the portion of the site plan identified as "Future – Not a Part". This recommendation should be considered at the time that conceptual site plan and elevations are submitted to the PHO for this portion of the site (as stipulated in this recommendation).

The second recommendation is for the applicant to provide a connection to the existing pedestrian pathway to the north. This pathway is constructed through the Laveen Area Conveyance Channel (LACC) and extends from the residential subdivision to the north to the center of the LACC. This stipulation is recommended as it would complete a critical connection between the landscaped multi-use trails that exist on either side of the LACC and would promote active use of this unique amenity.

- 6) The Street Transportation Department also recommends additional pedestrian pathways. The first recommendation is a minimum of four pathways that connect the proposed multifamily development to the stipulated landscaped multi-use trail on the south side of the LACC. These pathways are depicted on the conceptual site plan. The second recommendation is to provide a pedestrian pathway that connects the primary entrance of the development to the existing bus pad on the west side of 51st Avenue, near the northeast corner of the site. This pathway is not depicted on the conceptual site plan.
- 7) The Laveen Village Planning Committee recommended an additional stipulation requiring the developer to return for a review and comment session regarding final residential building elevations, landscape plan, open space plan, fence plan, sign plan, and lighting plans are complete. This will allow an opportunity for public input on these plans to be provided to Planning and Development Department staff.
- 8) The Laveen Village Planning Committee also recommended an additional stipulation requiring landscape materials to match the existing landscaping to the north and south. The stipulation is recommended with modified language to require that landscaping be compatible or complementary to existing developments. This flexibility acknowledges the unique needs and intent of landscaping on intermediate commercial sites (south) and privately-owned landscape tracts adjacent to right-of-way (north).

DECISION: The Planning Hearing Officer recommended approval with modifications and additional stipulations.

STIPULATIONS

1.	That THE development shall be in general conformance to WITH the site plan date stamped DECEMBER 17, 2019 August 14, 2002, as MODIFIED BY THE FOLLOWING STIPULATIONS AND approved by THE PLANNING AND Development Services Department, with specific regard to THE FOLLOWING:
----	--

	A.	<p>THE SITE PLAN SHALL SHOW HIGH AND DRY OPEN SPACE AND DRAINAGE AREAS IN THE MULTIFAMILY RESIDENTIAL DEVELOPMENT.</p> <p>That the grocery anchor in Phase One shall not exceed 110,000 square feet, including the garden center.</p>
	B.	<p>THE DEVELOPMENT SHALL NOT EXCEED 220 UNITS.</p> <p>That the number of drive-through restaurants in Phase One and Two of the commercial area shall not exceed two in each phase, and the total number of pad sites (less than or equal to 5,000 square feet) in both phases be limited to a total of six pads.</p>
	C.	<p>A MINIMUM OF 10 PERCENT OF THE GROSS PROJECT SHALL BE RETAINED AS COMMON OPEN SPACE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.</p> <p>That the site plan shall show high and dry open space and drainage areas in the multi-family residential development.</p>
	D.	<p>THE DEVELOPER SHALL COMPLETE THE EXISTING PEDESTRIAN CONNECTION CROSSING THE LAVEEN AREA CONVEYANCE CHANNEL (LACC) AT THE NORTHWEST CORNER OF THE SITE, AS APPROVED OR MODIFIED BY THE PARKS AND RECREATION AND PLANNING AND DEVELOPMENT DEPARTMENTS.</p> <p>That the loading dock of the grocery store shall maintain a 60-foot setback from the property line. That the loading dock and approach ramp shall be screened with a solid masonry wall, eight feet high above finished floor, consistent with the design of the building.</p>
	E.	<p>THE DEVELOPER SHALL PROVIDE A MINIMUM OF FOUR PEDESTRIAN CONNECTIONS FROM THE DEVELOPMENT TO THE STIPULATED MULTI-USE LANDSCAPED TRAIL ON THE SOUTH SIDE OF THE LAVEEN AREA CONVEYANCE CHANNEL (LACC), AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.</p> <p>That construction shall be in general conformance with Sketches A through E provided by the applicant with elevations of the truck dock, pedestrian plaza in front of PAD A, the shops east elevation, and two details of the canopy column, as approved by Development Services Department.</p>
	F.	<p>THE DEVELOPER SHALL PROVIDE A PEDESTRIAN CONNECTION FROM THE PRIMARY ENTRANCE OF THE DEVELOPMENT, NEAR THE</p>

		NORTHEAST CORNER OF THE SITE, TO THE BUS PAD ON THE WEST SIDE OF 51ST AVENUE, AS APPROVED OR MODIFIED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
		That the applicant shall provide a rendering of the front of the grocery anchor indicating a shade structure or structures, in conformance with building character expressed by Sketch C, to be approved by Development Services Department.
2.		THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED DECEMBER 17, 2019, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT, WITH SPECIFIC REGARD TO THE FOLLOWING:
	A.	ALL ELEVATIONS OF THE BUILDING SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS MATERIAL OR TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND/OR OTHER OVERHANG CANOPIES.
3.		THE APPLICANT SHALL PRESENT THE FOLLOWING CONCEPTUAL PLANS TO THE LAVEEN VILLAGE PLANNING COMMITTEE FOR REVIEW AND COMMENT PRIOR TO PLANNING AND DEVELOPMENT DEPARTMENT PRELIMINARY SITE PLAN REVIEW: RESIDENTIAL BUILDING ELEVATIONS, LANDSCAPE PLAN, OPEN SPACE PLAN, FENCE PLAN, SIGN PLAN, AND LIGHTING PLAN.
4. 2.		That The two commercial phases shall be designed in an architecturally cohesive way, to include color scheme, landscaping, and signage, as approved by Development Services Department.
3.		That prior to preliminary site plan approval for the multi-family development, the elevations of the multi-family residential development shall be approved through the Planning Hearing Officer hearing process.
Streets and Right-of-Way		
5. 4.		That The following shall be dedicated:
	A.	60 feet and a 10-foot sidewalk easement for the north half of Baseline Road.
	B.	100 feet, or as otherwise be approved by THE PLANNING AND Development Services Department, for the west half of 51st Avenue.

	C.	A 21-foot by 21-foot right-of-way triangle at the northwest corner of 51st Avenue and Baseline Road.
	D.	Sufficient right-of-way to accommodate a bus bay (Detail P-1256) on Baseline Road at 51st Avenue.
6. 5.	That	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 Services Department. All improvements shall comply with all ADA accessibility standards.
7. 6.	That	The applicant shall submit a Traffic Impact Study to the City for this development. The study must be submitted concurrent with or prior to the preliminary site plan approval. Contact Ms. Briana Leon, (602) 495-3697, to set up a meeting to discuss the requirements of the study.
8. 7.	That	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvements Program to the Chief Engineering Technician, (602) 262-6193, Street Transportation Department. This form is a requirement of the Environmental Protection Agency to meet clean air quality standards.
Site Amenities		
9. 8.	That	The design of both phases of the commercial development shall address pedestrian circulation from Baseline Road to the multifamily residential area.
10. 9.	That	The major entryway on Baseline Road shall be identified with enhanced landscaping and monument signage.
11. 10.	That	Trails shall be provided on the site as approved by the Parks and Recreation Department:
	A.	A 10-foot multi-use trail on the north side of Baseline Road.
	B.	A multi-use landscaped trail on the south side of the Laveen Area Conveyance Channel (LACC) pursuant to the LACC agreement.
Commercial Design		
12. 11.	That	The Shops A building SHALL provide continuous shaded canopies a minimum of ten feet in depth along all building walls that have a customer entrance. These canopies shall be a combination of solid roof at primary entrances connected by trellis-covered portions, to provide some natural light along the walkway.

13. 42.	That a All buildings shall have a similar architectural theme. The theme shall include a minimum of two of the following materials: stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco, or exposed aggregate concrete.
14. 43.	That t There shall be no parking located between the pads (less than 5,000 square feet in area) and Baseline Road.
15. 44.	That a A landscape plan shall be required that illustrates 25% shading of the parking lot based on a 30-foot canopy upon maturity.
16. 45.	That a All items for sale, excluding fuel dispensing machines and merchandise associated with a garden center, shall be located within buildings or located in designated areas screened from view of public streets.
17. 46.	That d Drive-through facilities, with the exception of one commercial anchor drive-through in Phase One, shall orient drive-through windows away from Baseline Road or adjacent to residential uses. Drive-through queuing lanes shall be screened from view of Baseline Road and/or residential uses through the incorporation of a landscaped berm, screen wall or combination of a wall and berm at least four feet in height as approved by THE PLANNING AND Development Services Department.
18. 47.	That p Primary canopy pillars shall be full-height, a minimum of two feet wide by two feet deep, and intermediate metal posts, with diagonal braces and masonry bases shall be provided to add a rural character and diversity to the colonnade.
Residential Design	
19.	THE RESIDENTIAL DEVELOPMENT SHALL BE GATED.
20.	LANDSCAPE MATERIALS SHALL BE COMPATIBLE WITH AND/OR COMPLEMENTARY TO EXISTING LANDSCAPING ON ADJACENT PROPERTIES TO THE NORTH AND SOUTH ALONG 51 ST AVENUE, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
21. 48.	That t The multi-family residential development shall use the Planned Residential Development (PRD) option.
22. 49.	That a All multifamily units shall include individual porches or balconies a minimum of 36 square feet of area. The first floor porches or patios shall be enclosed by a wall or landscaped hedge to create the private or semi-private space.
23. 20.	That t The multi-family residential site plan SHALL show the locations of playgrounds and/or seating areas.

Other	
24. 21.	That s Should the residential units ever be converted to condominiums or other individual sales units, then the property owner shall record documents that disclose to purchasers of property within the development the existence and potential characteristics of agricultural use property in the vicinity. The form and content of such documents shall be reviewed and approved by the City Attorney.
25. 22.	That a Archaeological testing is recommended for the entire project area. Depending on what is found during the testing phase of the project, possible subsequent data recovery and/or monitoring may be required. The determination will be made by a qualified archaeologist and is subject to approval by the City of Phoenix Archaeologist (602-495-0901).
26. 23.	That t The design of the pads SHALL remains consistent with the commercial elevations of the anchor as shown to the LVPC and represented by Sketch C attached to the staff report.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.