



Village Planning Committee Meeting Summary Z-180-04 (PHO-2-19)

Date of VPC Meeting February 10, 2020

Planning Hearing Officer February 19, 2020

Hearing Date
Requests

- 1) Modification of Stipulation 1 regarding development of the project site
- 2) Modification of Stipulation 1.A regarding the site plan date stamped December 22, 2004
- 3) Modification of Stipulation 1.B regarding the land use table dated December 1, 2004
- 4) Modification of Stipulation 1.C regarding the landscape master plan dated December 1, 2004
- 5) Modification of Stipulation 1.D regarding the open space amenities plan dated December 1, 2004
- 6) Modification of Stipulation 2 regarding general conformance to the site plan date stamped December 22, 2004
- 7) Modification of Stipulation 2.A regarding setbacks on the west boundary
- 8) Modification of Stipulation 2.B regarding cul-de-sacs along Dobbins Road
- 9) Modification of Stipulation 2.C regarding perimeter wall offsets
- 10) Modification of Stipulation 3 regarding the school site
- 11) Review and approval of residential and commercial elevations by the Planning Hearing Officer per Stipulation 4
- 12) Modification of Stipulation 5 regarding master plans
- 13) Deletion of Stipulation 5.H regarding the master lighting plan
- 14) Modification of Stipulation 7 regarding a comprehensive sign plan
- 15) Modification of Stipulation 19 regarding rear yard setback variation

	16)Modification of Stipulation 22.C regarding split rail fences
	17)Technical corrections to Stipulations 2.D, 2.E, 6, 8, 9, 14, 15, 22.B, and 25
Location	Southwest corner of the 65th Avenue and South Mountain Avenue Alignments
VPC Recommendation	Approval with modifications and additional stipulations
VPC Vote	8-2

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Six speaker cards were submitted in opposition, wishing to speak.

Three speaker cards were submitted, wishing to speak.

Ms. Sofia Mastikhina, staff, provided an overview of the request, outlining the location of the project site, the requested stipulation modifications, the existing stipulations, and stipulated plans.

Ms. Carolyn Oberholtzer, the homebuilder's representative, provided some background on the original zoning case, stating that the approved zoning has not vested as a final site plan was not approved. She stated that a portion of the original project was approved for R1-8 zoning, which is the portion in question at this time. She presented the new proposed site plan, which was modified after the original Planning Hearing Officer application was submitted to reduce the density, include a new lot size, and add more open space (now at 14 percent). She noted that the most significant difference between the stipulated plan and the new plan is the streets layout. The new plan provides a north-south connection with 67th Avenue, as well as a road along the 500kv power lines on the property. She also stated that a big difference is the orientation of the lots – the new plan has side-oriented lots to reduce the appearance of density as well as eliminate the need for the rear setback variation in one of the original stipulations. She listed the proposed stipulation modifications and noted that the updated plans are dated February 3, 2020. She then explained that, although the R1-8 zoning district allows a maximum building height of two stories and thirty feet, the new plan does not have any two-story homes along Dobbins Road. Finally, she listed additional stipulations that she would like to be added to this case, which include four-sided architecture on all elevations, no two-story homes with the same elevation built next to each other, no Spanish elevations if two adjacent homes have the same floor plan, and a minimum 12-inch overhang on elevations that include eaves.

Ms. Stephanie Hurd asked what the lot sizes on the new proposed plan are going to be. **Ms. Oberholtzer** replied that there will be a mixture of 45-foot, 50-foot, and 55-foot-wide lots throughout the development. She further stated that there will be no two-story homes along Dobbins Road in addition to a trail and open space system along 67th Avenue, which will serve as a scenic corridor for the community.

Ms. Jennifer Rouse questioned the request to remove the requirement for a Master

Lighting Plan, stating that the community needs proper lighting for safety reasons, especially along the road that run alongside the power lines. **Ms. Oberholtzer** replied that the development will still have a lighting plan and explained that the stipulation in question required that this plan be reviewed per the city's Planned Community District (PCD) Master Plan Manual, which does not address lighting, making this stipulation unnecessary.

Mr. John Mockus expressed his opposition to 45-foot-wide lots in this area. **Ms. Oberholtzer** noted that this is not a new zoning case, and that the land is already entitled to R1-8 zoning, which allows 45-foot-wide lots, so the new proposal is consistent with the current zoning of the property. She stated that much thought was put into the placement of the 45-foot-wide lots and that they were grouped towards the northern and southern portions of the site and will serve as an appropriate transition to neighboring approved R-2 zoning. Further, the lots along Dobbins Road will be 55 feet wide. **Mr. Mockus** asked if the homes will be stick-built. **Ms. Oberholtzer** replied yes, they will be new construction.

Mr. Carlos Ortega suggested that the developer consider eliminating some of the 45-foot-wide lots on the southern portion of the property, where they seem to be very heavily concentrated. He also noted that the 50- and 55-foot-wide lots have ample open space near them, while the 45-foot-wide lots did not have any open space amenities nearby. He suggested including more open space adjacent to the 45-foot-wide lots, also noting that the plan did not show any spaces for play. He then emphasized that people move to Laveen for larger lots, and that ultimately the developer should seriously consider 65-foot-wide lots, at minimum.

Ms. Oberholtzer explained that the 45-foot-wide lots are deeper than the lots that were originally planned for this site, with a depth of 120 feet. She stated that the new plan also increased the open space to 14 percent, which will include amenities such as playgrounds and a trail system that will act as a linear park through the development.

Ms. Tonya Glass agreed that the distribution of the park areas is not equal and that, with the density issues already present in the area, 45-foot-wide lots are not appropriate.

Ms. Cinthia Estela asked if the zoning is S-1 or R1-8. **Ms. Oberholtzer** explained that the property was rezoned from S-1 to R1-8 in the original zoning case in 2004 but that the R1-8 zoning has not been vested yet since there has not been a final site plan approval.

Ms. Linda Abegg asked the Committee what they would like the minimum lot sizes to be. Specifically, she suggested that they look at minimum square footage and not just lot width since a wide lot may have a shorter depth and thus become a smaller lot overall. She inquired about the percentage of open space in the southern portion of the site and suggested stipulating a percentage of required open space in each portion of the development.

Chairman Branscomb asked if any of the surrounding lots are zoned for multifamily. **Ms. Oberholtzer** replied that the site to the south is zoned for

multifamily but that there are no plans for this property yet.

PUBLIC COMMENT

Mr. Rajmund Rzepecki stated that he liked the proposed 21-foot driveways. He stated that he recently moved to Laveen for the same reason others do, which is for the large lots, equestrian community, and ample open space. He commented that developers are squeezing too much into the community, where the minimum lot size should be 10,000 square feet, that the streets in some developments are too narrow and, coupled with short driveways, create parking issues in neighborhoods. He then stated that there is a lack of active open space areas where children can play and that the empty open space provided by most developers become a nuisance to the community as it promotes loitering and crime. He also urged the developer to put homes at least 150 feet away from the power lines.

Mr. Jon Kimoto expressed that developers need to provide housing stock to support the high-wage salaries that will be attracted to the new employment corridor, which means providing large lots. He stated that recent residential developments have not been providing the diversity of housing stock that is outlined in the General Plan.

Mr. Dan Penton stated that the homebuilder does not want to give the community what it wants, which is minimum 50-foot-wide lots. He reiterated Mr. Kimoto's point that high-wage workers will want larger lots.

Mr. Phil Hertel stated that the homebuilder has not been responsive to the community and that all the standard Laveen stipulations should apply to this development. These include enhanced open space, return for review and comment for any modifications, and larger lot sizes at a minimum of 55-foot widths. He stated that this request was denied at the Laveen Citizens for Responsible Development (LCRD) meeting and that the following recommendations were made: minimum 50-foot lot widths, minimum 21-foot driveway length, enhanced overhangs, no Spanish elevations next to each other, and return for review and comment for any modifications to approved plans.

Ms. Jadestorm Shamsid-Deen encouraged the developer to use only non-toxic materials in playgrounds and open space and to avoid materials such as crumb rubber and artificial turf, which can contain carcinogens.

Mr. Vance Pierce stated that no 45-foot-wide lots should be allowed, and that the proposed elevations are very plain and will need to be significantly improved to attract the new employment base.

Ms. Oberholtzer stated that the developer is open to amenitizing the southern portion of the property. She also explained the rationale behind including 45-foot wide lots, stating that these are the products that are accessible to a wider income range and that larger lots will be unattainable for a lot of people as they are very expensive. She stated that the 45-foot-wide lots provide the housing diversity that the community needs, and that designing a community which is accessible to a variety of people is very difficult.

MOTION

Ms. Abegg made a motion to recommend approval with modifications and additional stipulations.

- Approve modifications to Stipulation Nos. 1, 2, 3, 4, 5, 7, 19, 22c
- Approve Stipulation No. 1 regarding general conformance to the site plan, adding with specific regard to the location of the 67th Avenue alignment and the school site, and with the following modifications:
 - a. The minimum lot width shall be 50 feet.
 - b. A minimum 30 percent of the lots shall have a minimum width of 55 feet.
- Additional stipulations:

26. The development shall be in general conformance to the elevations presented at the village planning committee meeting, as modified by the following stipulations:

- a. The elevations shall incorporate four-sided architecture, exterior accent materials, detailing, and at least three color palettes, in order to convey a sense of continuity throughout the development, as approved by the planning and development department.
- b. Where two, two story homes are built adjacent to each other, the same elevation shall not be utilized if both homes share the same color scheme and floorplan.
- c. Where two homes are built adjacent to each other, the Spanish elevation shall not be utilized on both if both homes share the same floorplan.
- d. For each elevation that features eaves, such eaves shall have a minimum overhang of 12 inches, as approved by planning and development

27. The developer shall provide a minimum 21-foot driveway depth from back of sidewalk as approved by the planning and development department.

28. The open space shall be allocated evenly on the sections north and south of Dobbins Road.

29. The developer shall provide two amenity areas in Functional Unit 1A south of Dobbins Road.

30. Any modifications of the approved plans shall return to the Laveen Village Planning Committee for review and comment.

Mr. Mockus seconded the motion.

Ms. Keating asked for clarification on Stipulation No. 1 regarding general conformance to the site plan, confirming that the Committee would like to approve the new proposed site plan with the modification regarding lot sizes, and not the old stipulated plan. **Ms. Abegg** confirmed that they are approving the new plan with the listed modifications.

VOTE

8-2 Motion passed; with members Abegg, Flunoy, Harlin, Hurd, Mockus, Rouse, Glass and Branscomb in favor and members Estela and Ortega in opposition.