

REPORT OF PLANNING HEARING OFFICER ACTION
Adam Stranieri, Planner III, Hearing Officer
Bradley Wylam, Planner I, Assisting

April 20, 2022

ITEM NO: 1	
	DISTRICT 1
SUBJECT:	
Application #:	PHO-2-22--Z-48-07-1
Location:	Northeast and southeast corners of I-17 and Arroyo Norte Drive
Zoning:	C-2
Acreage:	18.87
Request:	1) Review of conceptual site plan and elevations per Stipulation 1. 2) Technical corrections to Stipulations 2, 3, and 7.
Applicant:	Trammell Crow Residential
Owner:	AV 203 LLC
Representative:	Nick Wood, Snell & Wilmer LLP

ACTIONS:

Planning Hearing Officer Recommendation: The Planning Hearing Officer recommended approval with a modification and an additional stipulation.

Village Planning Committee (VPC) Recommendation: The Rio Vista Village Planning Committee heard this case on April 12, 2022 and recommended approval by a vote of 3-1.

DISCUSSION:

Chris Colyer, representative with Snell & Wilmer LLP, reviewed the property location and uses in the surrounding area. He summarized the history of the original rezoning case and development occurring east of the subject site. He stated that Stipulation 1 requires approval by the Planning Hearing Officer prior to preliminary site plan approval. He provided an overview of the proposed conceptual site plan depicting a 309-unit multifamily complex consisting of 15 two-story apartment buildings. He noted that the proposed density is 15.33 dwelling units per gross acre and intends to act as one cohesive community, despite Arroyo Norte Drive bisecting the development. He stated that amenities such as a clubhouse, fitness center, pool, pergola, seating area, and two dog parks would be available to community members. He provided an overview of the conceptual building elevations noting that the two building types are consistent and provide a variety of architectural features such as varied rooflines, decorative

windows, porches, and patios, and multiple building materials such as brick, stucco, and concrete roof tile. He stated that the site will have gated entry and noted that the conceptual wall details depict elevations for the vehicular gate, 6-foot CMU screen wall, and 3-foot CMU screen wall with view fence. He stated that the proposed landscape plan and elevations depict trees and overhangs that create shaded walkways. He stated that the increased setbacks and landscaping along the western side of the site create a sound buffer from Interstate 17.

Karen Allen, member of the Arroyo Norte neighborhood to the east of the subject site, stated traffic is a concern on Arroyo Norte Drive and the I-17 Frontage Road. She stated that the area will see more traffic due to the development of the Great Hearts Preparatory Academy, Arise Arroyo Norte development, and the proposed multifamily complex. She expressed safety concerns regarding members of the proposed community crossing Arroyo Norte Drive to utilize amenities on the other side of the road. She noted that she provided correspondence by email on April 8, 2022 that depicted the ingress and egress points along Arroyo Norte Drive. She stated that Arroyo Norte Drive and the I-17 Frontage Road will not be able to handle the amount of traffic these developments will create. She recommended that the proposed development provide access points directly onto the frontage road to alleviate some of the safety concerns on Arroyo Norte Drive.

Andrew Brand, member of the Arroyo Norte neighborhood, reiterated Ms. Allen's concerns regarding traffic on Arroyo Norte Drive. He stated that the impact of the proposed development and neighboring developments have created concerns for many community members and stated that multiple residents have inquired about ways to bypass the traffic by using motorbikes or scooters. He stated that this hearing may not be the best place to address these concerns but wished to get City Council and other department feedback regarding traffic issues. He wanted to know the connection between this site and Anthem. Mr. Colyer stated that the name of the development is the Alexan Anthem but is not officially affiliated with Anthem. Mr. Brand stated that he saw meeting notes from the 2007 hearings that widening the frontage road was mentioned at the time. He hoped to follow up on this and other issues related to traffic issues on Arroyo Norte Drive and the I-17 frontage road.

Lucy Mitchell, member of a neighboring community, stated that traffic is a concern and noted that a recent accident cut off access to her neighborhood for multiple hours. She stated that incidents like these may be more common with more development in the area and that it would make it very difficult for community members to access emergency services during these times.

Mr. Colyer stated that Circle Mountain Road would act as an alternative to access the I-17 frontage road from the Arroyo Norte community east of the subject site. He stated that the developer has been advised to use Arroyo Norte

Drive as the main access point to the subject site rather than the frontage road due to the safety concerns related to an increased number of curb cuts. He stated that they would follow the recommendations from the Street Transportation Department regarding a crosswalk between the two sides of the development. He stated that this hearing would not be the best place to address the multitude of traffic concerns considering the proposed development conforms with the requirements of the Zoning Ordinance, but that the Street Transportation Department will provide guidance to ensure the communities in this area are safe.

Adam Stranieri, Planning Hearing Officer, stated that the Rio Vista Village Planning Committee recommended approval by a vote of 3-1. He noted that correspondence was received from Ms. Allen prior to the hearing that expressed traffic concerns related to this project and the neighboring projects to the east of the subject site. He stated that he understood the context of the traffic issues in the surrounding area but larger planning efforts to resolve these were outside the scope of the current hearing. He noted that staff would notify the Street Transportation Department and Freeway Coordinator of the comments made during this hearing and also provide interested community members staff contacts. He stated that site specific traffic planning, such as impact analyses, traffic studies, driveway locations and details, would all be considered during the plan review process.

Mr. Stranieri stated that the density on the proposed conceptual site plan is 15.33 dwelling units per gross acre which is less than the 17.40 dwelling units per acre maximum permitted. He stated that the proposed open space on the north side of Arroyo Norte Drive is approximately 30.40% and is 29.05% on the south side of Arroyo Norte Drive, which is greater than the minimum required 5% open space. He stated that the scale and intensity of the development is appropriate for its location and would act as a buffer between the I-17 freeway corridor and proposed and existing uses to the east. He stated that Stipulation 1, regarding the review of the site plan and elevations, was adopted to require Planning Hearing Officer review when plans for the site became available. He noted that the sub-stipulations establish criteria for the site plan and elevations. He stated that Stipulation 1.a requires architectural consistency in the elevations regarding building mass, building style, wall treatments, lighting, and signage. He noted that this stipulation was intended to address the potential development of the site with multiple commercial uses. He stated that the proposed elevations provide consistency by utilizing a farmhouse architectural theme. He noted architectural features include decorative windows, porches and patios, multiple building materials, and varied rooflines. He stated that the proposed elevations contain a color palette that is appropriate for the desert context with desert tones as Stipulation 1.b requires. He stated that Stipulation 1.f requires special consideration for residential uses regarding mitigating impacts of the I-17. He stated that the proposed conceptual site plan depicts building setbacks that far

exceed the minimum required setbacks which will help mitigate noise. He noted that buildings that are closest to the western property line are oriented east/west to reduce exposure noise from Interstate 17. He stated that the other four sub-stipulations under Stipulation 1 address considerations more relevant to the commercial uses originally envisioned for the subject site. He stated that there were no relevant department comments, but that an additional stipulation would be necessary to obtain a recorded Proposition 207 waiver.

FINDINGS:

- 1) The original rezoning case assumed commercial development on the site. However, there were no site plans or elevations included in the original application and it was unknown exactly how the site would develop, what specific uses would be implemented, and the scale and intensity of any development. Therefore, Stipulation 1 was adopted to require Planning Hearing Officer review through the public hearing process once plans became available. However, this stipulation did recognize the possibility that the site may develop with residential uses as permitted in the C-2 zoning district. Stipulation 1.f directly addressed possible residential uses by establishing criteria for mitigating impacts of the I-17 on potential residents.

The proposed conceptual site plan in this request depicts a 309-unit multifamily complex consisting of two-story apartment buildings. The proposed density on the entire project area is 15.33 dwelling units per gross acre, which is less than the 17.40 dwelling units per gross acre permitted in the R-3 PRD development option with bonus points. The project is split area is split by Arroyo Norte drive with seven residential buildings on the north side and eight residential buildings on the south side. Proposed open space on the north side will consist of approximately 30.40% and on the south side approximately 29.05%. Both percentages far exceed the minimum 5% required. The scale and intensity of the proposal is appropriate for its location along the I-17 freeway corridor and creates a buffer between existing single-family development to the east, adjacent commercial zoning, and the I-17 freeway corridor.

- 2) Stipulations 1.a through 1.g established specific criteria regarding the review of the site plan and elevations. General conformance to the proposed conceptual site plan and elevations is recommended as discussed in these findings.
 - a) **Stipulation 1.a** requires architectural consistency in the elevations regarding building mass, building style, wall treatments, lighting, and signage. This stipulation was originally intended to address the potential development of the site with multiple commercial uses. With

the conversion of this stipulation to general conformance for the proposed residential development, these concerns are not wholly relevant. However, the residential elevations do provide an appropriate level of consistency by utilizing a farmhouse architectural theme with various related design elements. Architectural features include decorative windows, porches and patios with metal railings and pop outs, multiple building materials including brick, concrete roofs, and cement panels, varied rooflines, etc. Additionally, the development will provide design consistency north and south of Arroyo Norte Drive.

- b) **Stipulation 1.b** requires the use of finishing materials that are appropriate for a desert context. The conceptual elevations are in color and contain a color palette that is appropriate for the desert context with cool, natural, desert tones.
- c) **Stipulation 1.f** requires special consideration for residential uses regarding mitigating impacts of the I-17. The conceptual site plan depicts substantial buildings setbacks for most of the residential buildings that far exceed the minimum required setbacks. The applicant also noted that buildings located closest to the minimum required setbacks were oriented east/west to reduce exposure to noise from Interstate 17 and the Interstate 17 Frontage Road. The enhanced setbacks and building orientation will help to mitigate noise.
- d) **Stipulation 1.c, 1.d, 1.e, and 1.g** addressed considerations relevant to the original vision of the site developing with multiple commercial users. Regarding specific design elements in Stipulation 1.g, the relevant considerations were addressed by the applicant and are reflected in the conceptual elevations and the recommendation for general conformance.

STIPULATIONS:

1.	That conceptual site plan(s) and elevations shall be approved by the Planning Hearing Officer through the public hearing process prior to Development Services Department preliminary site plan approval. The site plan(s) and elevations shall include the following:
	THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND ELEVATIONS DATE STAMPED APRIL 13, 2022, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
a.	Elevations which provide architectural consistency in building mass

		and style, wall treatments, lighting, and signage.
	b.	The primary finishing materials for buildings shall consist of natural desert materials or materials which are appropriate for the natural desert context.
	c.	Drive-thru facilities shall be oriented so that drive-thru windows are not directly visible from adjacent public streets.
	d.	Landscaping, arcades, or overhangs which provide shaded walkways shall be utilized.
	e.	That parking areas shall be designed with landscaped areas to break up the large expanses of parking.
	f.	Special consideration shall be given to site design for residential uses to adequately mitigate the impacts of the proximity to Interstate 17, such as innovative site design, increased setbacks, sound barriers, and increased landscaping.
	g.	An architectural plan shall be approved with the elevations. The architectural plan shall convey a sense of continuity throughout the development and at a minimum include the following:
	i)	Natural accent materials such as brick, stone, or tile for buildings and signage.
	ii)	Architectural detailing such as recesses, pop-outs, shade walls, parapets, artistic insets, or pilasters.
	iii)	Street appurtenances such as benches, seat walls, ramadas, shade structures, trash enclosures, lighting and wayfinding signage.
	iv)	Detail sections for screening and perimeter walls as well as walls interior to the site; said walls shall be designed and finished with materials similar to those of the buildings' architectural detailing.
2.	That A comprehensive sign plan for the entire property shall be approved by the Zoning Administrator in accordance with Section 705 of the Zoning Ordinance prior to PLANNING AND Development Services Department final site plan approval for the first phase of development.	

3.	That 25 feet of right-of-way shall be dedicated for the south half of Teresa Lane or as otherwise approved by the PLANNING AND Development Services Department.	
4.	That Additional right-of-way shall be dedicated for the future expansion of the freeway/frontage road as approved by the Street Transportation Department.	
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 or modified by the Street Transportation Department.	
6.	That The applicant shall 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. Further archaeological monitoring and/or testing (trenching) may be necessary based on the results of the survey.	
7.	That The following persons, organizations and associations shall be notified by the applicant at least 15 days before the meeting or hearing of any PLANNING AND Development Services Department preliminary site plan meetings; Zoning Adjustment hearings; or Planning Hearing Officer hearings:	
	a.	New River Desert Hills Community Association, Inc. 515 E. Carefree Highway, #300 Phoenix, AZ 85085-8839
	b.	Shareen Goodroad scgoodroad@msn.com 623-742-0150
	c.	Terry Marron t.marron@yahoo.com 623-587-7039
8.	PRIOR TO PRELIMINARY SITE PLAN APPROVAL, THE LANDOWNER SHALL EXECUTE A PROPOSITION 207 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.	

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