



## Village Planning Committee Meeting Summary

### Z-32-19-6

<b>Date of VPC Meeting</b>	January 7, 2020
<b>Request From</b>	C-O/M-O SP (5.86 acres)
<b>Request To</b>	PUD (5.86 acres)
<b>Proposed Use</b>	Planned Unit Development to allow assisted living, memory care and accessory uses
<b>Location</b>	Approximately 360 feet south of the southeast corner of 32nd Street and Camelback Road
<b>VPC recommendation</b>	Approval, with a modified stipulation
<b>Vote</b>	18-1

#### **VPC DISCUSSION:**

**Ms. Samantha Keating** presented the staff recommendation on this item. She explained the location, details of the proposal, staff findings and recommendation.

**Ms. Keating** also noted that the applicant would like to propose a number of clarification modifications to the narrative for the committee's consideration. These include updating the number of assisted living beds to 121, clarifying that outdoor accessory dining should be added as a use to the use table to codify the planned al fresco dining area and to remove language regarding use of inset parapet walls.

**Ms. Hayleigh Crawford** asked how the proposal fits the Commercial General Plan Land Use designation and what alternative transportation options exist. **Ms. Keating** replied that the Commercial designation supports varying scales of multifamily residential and commercial land uses. The alternative transportation options in the area include multiple bus lines.

**Ms. Andrea Hardy** asked for clarification regarding sustainability features, specifically those features that were developer enforced. **Ms. Keating** explained that the city enforced sustainability features were ones that are reviewed during site plan review. Enhanced building code standards were not considered city enforced because there is no enforcement mechanism during building plan review.

**Mr. Craig Tribken** asked for clarification regarding the location of the existing deceleration lane. **Ms. Keating** explained the location along the south side of Camelback Road.

**Mr. Taylor Earl** of Earl & Curley, applicant, provided an overview of the project for the committee members. He explained that Life Care Services was a premier operator of senior living facilities. The project would entail independent living, assisted living and memory care, allowing people to age in place. Currently, there is not a large supply of this type of facility in the area. In comparison to the previous use and existing zoning, the proposed use will have less traffic in the area.

**Mr. Earl** continued that a lot of work has been done on the design of the site and building based on community input. A large portion of the building has been moved further from the south property line, where single-family residences exist. Tipu trees would be placed near the south property line to have a large canopy to help screen. Similarly, the west elevation has been revised for similar reasons. Support from 180 people has also been received and provided to staff tonight.

**Ms. Crawford** asked for clarification regarding the number of units. She also remarked that it seemed like the proposal was intending to create an all-inclusive community, which is in conflict with staff's findings that the project is in close proximity to area amenities. **Mr. Earl** responded that residents will have options for meals and feels that proximity to area amenities will be important for future residents. **Mr. Earl** also clarified that they planned to have 147 independent living units and 121 beds for assisted living and memory care.

**Ms. Hardy** asked if the 2018 IEGC code is more stringent than the 2015 code referenced in the sustainability section in the narrative. **Mr. Rich Barber**, project architect, explained that the city has adopted the 2018 codes, but to his knowledge the 2015 version is the latest version of the IEGC code. This code is an environmentally-based code in line with LEED processing.

**Ms. Crawford** asked if the applicants had talked with Helios and what are the transportation services offered on site. **Ms. Hardy** asked if there are any services on site for non-residents. **Mr. Earl** responded that Helios is in support of the project. Two small shuttle buses will be available on site. Services are designed for residents in mind and not the general public.

**Ms. Crawford** asked if rents were still planned in the \$4,000 to \$8,000 range. **Mr. Earl** responded affirmatively.

*Twelve public comment cards were received for this item. Two cards indicated they were in favor and wished to speak regarding the proposal. An additional seven cards indicated they were in support but did not wish to speak. Two cards were received indicating opposition to the proposal with one wishing to speak. An additional card was unsure of opposition or support but wished to speak.*

**Mr. Andrew Cohn** stated that he was in favor of the project and was very satisfied with the proposal. He stated he owned the small lot off 32nd Place.

**Mr. Rhoads Mikkelson** indicated he was speaking in favor of the proposal and had two elderly grandparents who would benefit from the project.

The following cards were in support, but not wishing to speak:

- Jeremiah Rojo
- Heather Barilla
- Robert Rebich
- Peter Gormien
- Brad Near representing Camelback Place HOA
- Layla Ressler
- Carlette Pearson

**Mr. Brad Near** addressed the committee and explained he was the president of the Camelback Place HOA. They have worked with the developer since the inception of the project and are in favor.

**Ms. Colleen Geretti**, president of the Brentwood Estates HOA explained she was unsure of proposal. She explained she appreciated the willingness of the developer to improve the project, but the area was always under siege from rezoning cases. Concerns that have not waived include height and density.

**Ms. Karen Broome** indicated she was opposed to the project and lived directly south of the proposal. Ryan has made efforts to address concerns, but she is still living through the Helios construction. Many efforts have been made, but construction is still disruptive. Grades, road conditions and parapets added to roofs are concerns. The proposal will change the feel of the area and views will be lost.

A card in opposition, but not wishing to speak was received from Daryl Burton.

**Chairman Jay Swart** added that he spoke with Steve Betts at Helios and they indicated they are in favor of the proposal. He has been involved with construction issues and they are not going unnoticed.

**Mr. Earl** provided a rebuttal to the public comments. He provided a definitive bed count of 121 beds and 147 independent living units and stated he understood the concerns with the Helios construction. To further address the concerns from the residents to the south, the applicant is willing to remove planned balconies adjacent to single-family residential, leaving the look but not the use of the outdoor space. In regard to parapet heights, the city measures building height at the roofline, but the applicant is also willing to stipulate that on the most southern part of the building, the total height with the parapet will not exceed 18 feet.

**Vice Chair William Fischbach** stated that he lives across 32nd Street and sees how disruptive the Helios construction is and asked the applicant how they will address

similar issues. **Mr. Earl** responded that how responsive the development team has been thus far should indicate their track record as they move forward.

**Mr. Tom O'Malley** asked for clarification regarding the balconies on the southern façade and asked if that measure would apply to entire south façade. **Mr. Earl** responded that the provision would apply to all stories of the south façade.

**Mr. Barry Paceley** explained that his parents had been in a smaller facility and appreciated the proposal.

### **Motion**

**Mr. Barry Paceley** made a motion to recommend approval of the proposal with the city stipulations and the amendments staff indicated in the presentation. **Mr. Dan Rush** seconded the motion.

**Mr. O'Malley** made a friendly amendment to the motion on the floor to include additional provisions the applicant stated in their rebuttal regarding the balconies and parapet height on the south elevation. **Mr. Paceley** accepted the friendly amendment.

1. An updated Development Narrative for the Clarendale Arcadia PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 26, 2019, as modified by the following stipulations:
  - a. Front Cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [Add adoption date].
  - b. Page 11, Landscape Standards Table: Add verbiage indicating that all landscape areas be provided with a minimum of 50 percent live cover.
  - c. Page 12, Additional Development Standards Table, Shade: Update verbiage to indicate that 75 percent of public sidewalks and pedestrian ways be shaded.
  - D. PAGE 5, PROJECT OVERVIEW AND GOALS, 3RD PARAGRAPH: UPDATE NUMBER OF ROOMS TO INDICATE 121 BEDS FOR ASSISTED LIVING AND MEMORY CARE.
  - E. PAGE 7, LAND USE PLAN, CONCEPTUAL SITE PLAN, 2ND PARAGRAPH: REMOVE LAST SENTENCE INDICATING THAT PARAPETS WILL BE SET BACK FROM EDGE OF THE BUILDING.

- F. PAGE 9, LIST OF USES: ADD OUTDOOR DINING AS A PERMITTED ACCESSORY USE.
  - G. PAGE 9, LIST OF USES, PERMITTED ACCESSORY USES: UPDATE LIST OF USES THAT ARE NOT AVAILABLE TO THE GENERAL PUBLIC TO INCLUDE OUTDOOR DINING.
  - H. PAGE 10, DEVELOPMENT STANDARDS TABLE, DENSITY: UPDATE BED COUNT TO INDICATE 121 BEDS FOR ASSISTED LIVING AND MEMORY CARE.
  - I. PAGE 10, DEVELOPMENT STANDARDS TABLE, BUILDING HEIGHT AND SETBACKS: REVISE ONE-STORY BUILDING HEIGHT SECTION AS FOLLOWS:
    - ONE-STORY BLDG. HEIGHT (20-FT.) SHALL BE SETBACK A MIN. OF 65-FT FROM THE EAST PROPERTY LINE AND A MIN. OF 20-FT. FROM THE NORTH AND WEST PROPERTY LINES.
    - ONE-STORY BLDG. HEIGHT (18-FT. INCLUDING ANY PARAPET) SHALL BE SETBACK A MINIMUM OF 65-FT FROM THE SOUTH PROPERTY LINE.
  - J. PAGE 14, DESIGN GUIDELINES, SUBSECTION C: ADD AN ADDITIONAL PROVISION ADDRESSING THE FOLLOWING: THE BUILDING(S) SHALL HAVE NO SOUTH FACING BALCONIES ON THOSE PORTIONS OF THE BUILDING ADJACENT TO SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS. THE ARCHITECTURAL APPEARANCE OF A BALCONY IS PERMISSIBLE IN THIS AREA.
- 2. The developer shall remove the right turn deceleration lane on Camelback Road at 32nd Place, as approved by the Planning and Development Department.
  - 3. The right-of-way shall be dedicated and a bus stop pad (City of Phoenix Standard Detail P1260) shall be constructed with a minimum depth of 10 feet along Camelback Road, east of 32nd Street, as approved by the Planning and Development Department.
  - 4. 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.

5. In the event archaeological materials are encountered during construction, the 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.

### **Vote**

**18-1**, Motion passes with Committee Members Swart, Fischbach, Abbott, Bair, Beckerleg Thraen, Eichelkraut, Garcia, Hardy, McKee, Miller, Nye, O'Malley, Paceley, Rush, Scher, Sharaby, Trauscht and Tribken in favor. Committee Member Crawford opposed.

### **Discussion**

**Mr. Tom O'Malley** commented that he appreciated Ms. Broome coming and providing her comments.

**Chairman Swart** stated that he heard the frustration expressed tonight and encouraged those in attendance to continue to let others know of their concerns.

**Ms. Crawford** expressed that she wanted to explain her concerns with the project. She stated that she appreciated the community's efforts and struggles to look at the city's General Plan and Core Values and see how the proposal serves these ends. The proposal is not an affordable option.

**Mr. Paceley** explained that he had parents in a similar facility and the range discussed tonight is a standard range. He explained that he felt the proposal adequately addressed four of the five Core Values in the General Plan.

**Ms. Hardy** commented that she struggles with the proposed land use but appreciates the outreach done.

### **Staff Comments Regarding VPC Recommendation & Stipulations:**

Staff recommends modifying Stipulation 1.J. to the following to provide clarity regarding the intent of restricting those balconies closest to single-family residential properties. The VPC's recommendation intended to restrict usable balconies from the closest points of the building along the southern property line. Because the conceptual plan details recesses and pop-outs, the addition of a dimension that encompasses the longest plane along the south building elevation will add enforceability of the intended provision.

- J. PAGE 14, DESIGN GUIDELINES, SUBSECTION C: ADD AN ADDITIONAL PROVISION ADDRESSING THE FOLLOWING: THE BUILDING(S) SHALL HAVE NO SOUTH FACING BALCONIES ON THOSE PORTIONS OF THE BUILDING WITHIN 235 FEET OF SINGLE-FAMILY RESIDENTIAL ZONING

DISTRICTS. THE ARCHITECTURAL APPEARANCE OF A BALCONY IS PERMISSIBLE IN THIS AREA.