



Village Planning Committee Meeting Summary

PHO-1-20— Z-27-B-01-7

Date of VPC Meeting February 18, 2020

Planning Hearing Officer February 19, 2020
Hearing Date

Request

- 1) Modification of Stipulation 1 regarding general conformance with the site plan date stamped August 4, 2006.
- 2) Modification of Stipulation 2 regarding general conformance with the elevations date stamped August 4, 2006.
- 3) Modification of Stipulation 2.B regarding apartment building construction materials.
- 4) Modification of Stipulation 2.C regarding garage door architectural details.
- 5) Deletion of Stipulation 3.B regarding a non-access controlled multi-use trail on the south property line.
- 6) Technical corrections to Stipulations 3, 9, 12, 15, 16, 19, 21, 22, 25.A, 25.A.3, 25.B, 25.B.4, 26, and 27.B.

Location Approximately 1,750 feet west of the southwest corner of 75th Avenue and Lower Buckeye Road

VPC Recommendation Approve as requested by the applicant but preserving Stipulation No. 3B regarding pedestrian connectivity until further study regarding viability of pedestrian connection.

VPC Vote 6-0

VPC DISCUSSION & RECOMMENDATION:

1. **Mr. Klimek**, staff, provided a background presentation on the site, the existing entitlements, and the request to modify stipulations. The applicant proposes the same number of total units but in few buildings with greater height than depicted on the original building elevations. The applicant also proposes to delete a stipulation which appears to require a pedestrian route between the neighborhood to the southwest and the shopping center to the north and east.

Mr. Jason Morris, of Withey Morris, introduced himself and the project. He explained that the development is a modernized, amenitized, and more attractive

project than originally proposed which does not add additional units nor additional height beyond what was originally approved. Regarding the trail connection stipulation, he indicated the easement to the south is actually a sewer easement rather than a trail easement and therefore not intended nor practical for a pedestrian connection because it would drop pedestrians into the loading zoning of the shopping center.

Chair Perez expressed concern over the 3-story height and stated it was never the intent of the Village to permit 3 story buildings south of Lower Buckeye to preserve the lower density character and the view of the Estrella Mountains. A 3-story project at this location will be out of place. She expressed further concern over the maintenance between these walled complexes in the areas and asked staff who is required to maintain these gaps.

Mr. Klimek responded that private property is the responsibility of its landowner and that, in this case, the gaps are likely the shared responsibility of both neighboring HOAs and/or landowners

Mr. Morris responded that the patchwork of individual development pieces is the result of development parcels being sold-off and the owners vesting their entitlements through site plans which do not necessarily align with regard to trails and pedestrian connections. He stated the best thing for the maintenance of the area is development because it will localize ownership and maintenance responsibility. Also, that the trail connection is impractical because the remainder of the trail does not exist currently.

Chair Perez reiterated her concern with regard to height and the elimination of the pedestrian connection which was in line with the original intent of Tuscano as a walking neighborhood where residents could walk to their neighborhood school, shopping center, and other amenities. The proposal is out of scale with the area, will loom over the single-family homes in development to the south, and require pedestrians to detour to 79th Avenue and Lower Buckeye to reach their local shopping center.

Mr. Morris responded that the property is already entitled to 3-stories and that the nearby Wal-Mart is taller than the proposed height.

Mr. Cardenas commented that the proposal does not really block the views of the Estrella Mountains and will provide desperately needed multifamily housing which will allow young-professionals to transition into the area.

Mr. Kahland commented that the greatest height impacts are to the north and the south. To the north, the project will wall-in the Lower Buckeye corridor and to the south, the project will loom over single-family residential homes. Unlike the proposal, warehouses – while permitted beyond the height proposed – require vast landscape setbacks which reduce the perceived height of the project.

Mr. Jason Morris responded that the perceived height of the project will be quite low considering the 55 foot setback and the limited exposure (width) along Lower Buckeye Road.

Mr. Kevin Danzeisen commented that the new design is better. **Mr. Dan Rush** commented that the views of the Estrella Mountains will be better preserved by a few taller buildings than many mid-height buildings.

Hearing no further comments from the Committee, Chair Perez opened the floor to comments from the public and called Ms. Peggy Easton to speak.

Ms. Peggy Easton provided background on the case as an original member of the Estrella Planning Commission. The Tuscano Planned Community District was envisioned as a high-quality and master planned community connected visually through design elements and physically through trails and pedestrian connections. While there was no policy adopted, the intent has always been to limit this area of the Village to 2-story heights to preserve the low-density character of the area and the views of the Estrella Mountains. With the original zoning approval, their intent was to limit the project to 2-stories but the group did not fully understand the zoning entitlement of the R3A zoning.

Mr. Jason Morris responded that the connectivity of the area fell apart when the individual pieces of the Planned Community District were sold and entitled into private ownership. The applicant is likely agreeable to access controlled pedestrian gates but not to unlimited through traffic through their private property. With regard to height, both warehouses and the nearby Wal Mart are significantly taller than the 3 stories proposed.

Mr. Jessy Avalas stated that he is concerned about the views of the Estrella Mountains being obstructed by such tall buildings located along Lower Buckeye Road and that the additional building will make the Lower Buckeye a warehouse-like corridor.

Mr. Jason Morris responded that there is only 1 building proposed along Lower Buckeye. Regarding comments related to traffic, the applicant was sensitive to the topic and therefore limited the number of units in their original entitlement.

MOTION:

Mr. Kahland motioned to approve as requested by the applicant but preserving Stipulation No. 3B regarding pedestrian connectivity. He noted the issue should be studied further to evaluate whether the trail connection is viable. **Mr. Danzeisen** seconded the motion to approve.

DISCUSSION:

None.

VOTE:

6-0, motion passed, with Committee Members Ademolu, Perez, Kahland, Rush, Cardenas, and Danzeisen in favor; no members in abstention or opposition.

STAFF COMMENTS REGARDING VPC RECOMMENDATION:

None.

