



**Village Planning Committee Meeting Summary**

**PHO-2-24--Z-69-08-8**

<b>Date of VPC Meeting</b>	June 11, 2024
<b>Date of Planning Hearing Officer Hearing</b>	June 12, 2024
<b>Request</b>	<ol style="list-style-type: none"><li>1) Modification of Stipulation No. 1 regarding general conformance with the site plan date stamped October 18, 2021.</li><li>2) Modification of Stipulation No. 4 regarding the number of bicycle parking spaces.</li></ol>
<b>Location</b>	Northwest corner of 36th Street and Southern Avenue
<b>VPC Recommendation</b>	Approval with a modification and additional stipulations
<b>VPC Vote</b>	13-0-1

**VPC DISCUSSION & RECOMMENDED STIPULATIONS:**

*Committee Members Emma Viera, Tamala Daniels, Fatima Muhammad Roque and Tremikus Muhammad joined during this item bringing quorum to 14 members (ten needed for a quorum).*

*No members of the public registered to speak on this item.*

**STAFF PRESENTATION**

**John Roanhorse**, staff, provided an introduction and overview of the request, identifying the size, location, zoning, adjacent streets and General Plan Land Use Map designation. Mr. Roanhorse discussed the PHO (Planning Hearing Officer) process, history of site and displayed the proposed site plan, landscape plan and approved and proposed stipulations.

**Chair Marchuk** asked staff if any support or opposition correspondence have been received prior to the Village Planning Committee meeting. Mr. Roanhorse indicated that prior to the meeting no correspondence has been received.

**APPLICANT PRESENTATION**

**Taylor Earl**, representing the applicant with Earl & Curley, PC, introduced himself and provided an introduction to the request. Mr. Earl stated with the PHO they have provided information to the community in advance of the scheduled hearing.

**Committee Member Tamala Daniels** asked when the public was notified about the PHO. **Mr. Earl** responded that mailers were sent out and the distance for recipients was expanded and included property owners in the area, and the notice was sent out in English and in Spanish. Mr. Earl stated there is no neighborhood meeting requirement for the PHO but they held a virtual meeting and no participants attended.

**Mr. Earl** discussed the PHO and noted the difference from the previous rezoning case and the residential product they expect to bring to the village for the current development. Mr. Earl stated the proposal is intended to provide housing for ownership occupancy. Mr. Earl said the design concept for housing are single family units and they need to modify the stipulations to allow for the type of housing product they expect to develop. Mr. Earl stated the zoning is C-1, Neighborhood Retail, on a 4.2-acre site that was approved in 2008 for an office complex that was never built. Mr. Earl stated that with the site being available a PHO request was approved for a rental community with two-story residential units that included parking. Mr. Earl stated with the PHO they are presently proposing is a townhome development that would include garages and backyards. Mr. Earl displayed the land use map and identified the adjacent land uses and zoning. Mr. Earl identified the commerce park to the east and an existing adjacent industrial park. Mr. Earl stated the proposal is for 40 dwelling units which is a reduction from the original proposal. Mr. Earl stated the shift from rental units to a community intended for ownership provides an opportunity to accommodate the missing middle. Mr. Earl discussed the need for duplexes, triplexes, and townhomes as opportunities for a variety of housing options available. Mr. Earl stated the first stipulation will change the site plan from the previously proposed multifamily residential product and will include landscaping, garages, amenities, and open space. Mr. Earl noted that in a rental community it makes sense to have bike parking and now there are garages so people can store their bicycles within them. Mr. Earl stated there are four secured parking spaces as approved by the Street Transportation Department which was a recommendation they will maintain. Mr. Earl stated they have responded to the archaeological language and noted that these requirements are satisfied, and a report was completed.

#### QUESTIONS FROM THE COMMITTEE

**Committee Member Gene Holmerud** asked if there was any walkway or subterranean connection between the north and south parcels. **Mr. Earl** responded that there is a walkway connection along 36th Street which will be a requirement and there will be additional street and sidewalk improvements.

**Committee Member George Brooks** asked if there were any discoveries as a result of the archaeological study. **Mr. Chuck Chisholm** with K. Hovnanian Homes ("KHOV")

responded that the conclusion from the archaeological study included extensive excavation on both parcels and there were no findings and stated that during construction if anything is discovered they will have to call a city archaeologist.

**Committee Member George Brooks** asked if anything was found would that go to Gila River or Salt River Tribes. **Mr. Earl** responded that they would have to find out that information.

**Committee Member Tamala Daniels** asked if the development was a change from multifamily to condominiums. **Mr. Earl** responded that the change is to townhomes for home ownership. Committee Member Tamala Daniels asked if there were any architectural, site plans or landscape plans to review for approval. Mr. Earl displayed the site plan and landscape plan and stated the buildings would not change from the initial proposal. Committee Member Tamala Daniels asked if there were changes to the elevations. Mr. Earl responded that there were no changes to the elevations which will feature three to five-plex designs that are different sizes and there was no general conformance stipulation to the elevations. Committee Member Tamala Daniels asked what the variations would be between the different design styles which were stated as contemporary, Spanish and ranch style. Mr. Earl responded that the architectural styles would remain the same with various numbers of units. Committee Member Tamala Daniels asked if they could get a list of the requirements for single family homes, townhomes and condominiums regarding the exterior features. **Mr. Roanhorse** responded that the discussion presently is for the PHO and when plans are submitted for development that is when they are reviewed for the architectural elements including site planning and all the design details. Committee Member Tamala Daniels asked if the developer would come back to the committee for review of the elevations or any additional information. Mr. Earl responded that the project would be subject to a separate design review process that would address the design details. **Chair Marchuk** stated that in previous cases they have stipulated that the applicant would return to the village for review and comment prior to preliminary submittal. Committee Member Tamala Daniels stated concerns with the proposed colors and appearance of the elevations. Mr. Earl responded that there would be various colors for the elevations. Chair Marchuk stated that from Committee Member Tamala Daniels comment the committee can request to have the applicant come back to the village planning committee for review and comment on the elevations.

**Committee Member Tamala Daniels** asked if a detached sidewalk would contribute to the tree line street mandate for all communities for shaded walk paths. **Mr. Roanhorse** responded that having shade trees is part of the city's Tree and Shade Master Plan but for this case adding trees may depend on the location and how much space would be allocated for a detached sidewalk and landscaping. **Mr. Earl** responded that the City's Tree and Shade Master Plan items are usually required by stipulation, and they will include additional shade trees where they can.

**Chair Marchuk** asked if staff could include standard language for reference for shade requirements for tree lined streets and a detached sidewalk. **Ms. Sarah Stockham**, staff, responded that language will be provided to the committee.

**Committee Member Kay Shepard** asked if there was a retention basin on the site. **Mr. Earl** responded that the retention basin would be located on the lower southern portion of the site and referenced the site plan.

**Committee Member George Brooks** asked if the response for the inclusion of shade trees and sidewalks was sufficient. **Committee Member Tamala Daniels** responded that the request would be included as a stipulation.

**Committee Member Fatima Muhammad Roque** asked about parking on the site and how it would be accommodated. **Mr. Earl** responded that each unit would have a garage and a driveway and there will be some communal parking as well. Mr. Earl stated they will not be requesting variances for parking.

**Committee Member Tremikus Muhammad** asked if there will be a stipulation to allow the committee to review the elevations and detached sidewalks with tree alignment. **Chair Marchuk** respond that the stipulations will be addressed during the voting process.

**Committee Member Emma Viera** commented for pedestrians and a walkable community there needs to be full shade where possible which is part of a bigger climate action and heat mitigation plan, and it is preferred to have sidewalks with full tree shade coverage.

**Committee Member Kay Shepard** commented that including a detachable sidewalk provides safety for pedestrians.

**Committee Member Emma Viera** asked about the location of the bicycle parking and where they would be located on the site plan, noting that the location is important and pedestrian access should be considered as part of the active transportation plan for the site. **Mr. Earl** responded that the Street Transportation Department requested that bike parking language be included for four spaces, which would remain.

**Committee Member Tamala Daniels** asked that the location of the bicycle parking be shown on this site plan which would be near the amenity area next to the playground. **Mr. Earl** stated that they had planned to remove the bicycle parking, but it will remain as part of the proposal. Mr. Earl stated that they can include bicycle parking where the committee would like it to be on the site plan.

**Committee Member Fatima Mohammed Roque** asked where visitor parking would be located and how emergency vehicles would access the site. **Mr. Earl** responded that since this development is for single family homes that additional parking would be

available on the street and each residential unit would have a parking garage and a driveway for residential use and emergency vehicles will have full access to the community.

**Mr. Earl** stated to Chair Marchuk and the committee that he is providing a landscape plan as part of the record and can be used for the stipulation requirement.

**Chair Marchuk** asked staff if the standard language was readily available for the discussed stipulations where the applicant would come back to the committee with the elevations and detached sidewalks. **Ms. Stockham** stated the suggested language for the committee:

1. Building elevations shall be presented for review and comment to the South Mountain Village Planning Committee prior to final site plan approval.
2. The public sidewalk along 36th Street shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
  - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees planted a minimum of 25 feet on center or in equivalent groupings to provide shade to a minimum 75 percent of the sidewalk.
  - b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

3. The development shall be in general conformance with the site plan date stamped APRIL \_\_ 2024 and the landscape plan date stamped June 11, 2024, as modified by the following stipulations and approved by the Planning and Development Department.

**Committee Member Gene Holmerud** asked about additional cooking and dishwashing facilities for each unit regarding multigenerational living accommodations. **Mr. Earl** responded that the proposal does not have floorplans for multigenerational living.

**Committee Member Kay Shepard** asked the square footage for the proposed floorplan designs. **Mr. Earl** responded that the square footage is from 1,582 to 1,864 square feet.

**Committee Member Tamala Daniels** ask what the proposed unit price would be. **Mr. Earl** responded that pricing is dependent on the market, and the proposal is not market

ready however based on similar communities with a similar housing product the anticipated cost would be from low to mid \$400,000's.

**Committee Member Tamala Daniels** asked if the units would have one or two-car garages. **Mr. Earl** responded the square footage of the units would determine the number of garages. **Mr. Chisolm** responded that in addition to the garages each unit will have a full driveway.

**Committee Member Tamala Daniels** asked if the proposal was a gated community with private streets. **Mr. Earl** responded affirmatively that the development will be a gated community with private streets that will allow on street parking.

**Committee Member Gene Holmerud** asked that with the units with one garage and one driveway this would be tandem parking. **Mr. Earl** responded affirmatively.

#### PUBLIC COMMENT

None.

#### APPLICANT RESPONSE

None.

#### FLOOR/PUBLIC DISCUSSION CLOSED: MOTION, DISCUSSION, AND VOTE

##### MOTION

**Committee Member Kay Shepard** made a motion to recommend approval of PHO-2-24--Z-69-08-8 with a modification and additional stipulations. **Committee Member Tamala Daniels** seconded the motion.

##### VOTE

**13-0-1**, motion to recommend approval of PHO-2-24--Z-69-08-8 with a modification and additional stipulations passed with Committee Members Aldama, Alvarez, Beehler, Brooks, Busching, T. Daniels, Falcon, Holmerud, T. Muhammad, F. Muhammad, Shepard, Viera, and Greathouse in favor and Chair Marchuk abstained.

**Chair Marchuk** explained that he abstained because there was no tie to break.

#### VPC RECOMMENDED STIPULATIONS:

1. The development shall be in general conformance with the site plan date stamped APRIL \_\_ 2024 ~~October 18, 2021~~ **AND THE LANDSCAPE PLAN DATE STAMPED JUNE 11, 2024**, as modified by the following stipulations and approved by the Planning and Development Department.

2. The development shall comply with Mixed-Use Agricultural (MUA) Zoning District standards pertaining to quantity and type of landscape materials and parking lot landscaping standards, as approved or modified by the Planning and Development Department.
3. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department.
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete, or stucco, to provide a decorative and aesthetic treatment.
  - b. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies.
4. The developer shall provide 4 secured bicycle parking SPACES ~~for residents at a minimum rate required by Chapter 13, Section 1307.H for multi-family development~~, as approved by the Planning and Development Department.
5. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and grubbing, landscape salvage, and/or grading approval.
6. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
7. If any archaeological materials are encountered during construction, the contractor shall cease all ground disturbing activities within 33 feet of the discovery and notify the City of Phoenix Archaeology Office immediately to allow time to properly assess the materials.
8. The property owner shall record documents that disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided that have been reviewed and approved by the City Attorney.
9. The following street transportation improvements shall be provided and approved by the Planning and Development Department:

- a. Right-of-way totaling 60 feet shall be dedicated for the north half of Southern Avenue.
  - b. Right-of-way totaling 30 feet shall be dedicated for the west half of 36th Street.
  - c. A 25 foot by 25-foot right-of-way triangle shall be dedicated at the northwest corner of 36th Street and Southern Avenue.
10. The developer shall construct all streets within adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping, and other incidentals as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
11. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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.
12. **THE PUBLIC SIDEWALK ALONG 36TH STREET SHALL BE DETACHED WITH A MINIMUM FIVE-FOOT WIDE LANDSCAPED STRIP LOCATED BETWEEN THE SIDEWALK AND BACK OF CURB AND PLANTED TO THE FOLLOWING STANDARDS, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:**
  - A. **MINIMUM 3-INCH CALIPER LARGE CANOPY, SINGLE-TRUNK, SHADE TREES PLANTED A MINIMUM OF 25 FEET ON CENTER OR IN EQUIVALENT GROUPINGS TO PROVIDE SHADE TO A MINIMUM 75 PERCENT OF THE SIDEWALK.**
  - B. **DROUGHT TOLERANT VEGETATION DESIGNED TO GROW TO A MAXIMUM MATURE HEIGHT OF 24 INCHES AND ACHIEVE 75 PERCENT LIVE COVERAGE.**

**WHERE UTILITY CONFLICTS EXIST, THE DEVELOPER SHALL WORK WITH THE PLANNING AND DEVELOPMENT DEPARTMENT ON ALTERNATIVE DESIGN SOLUTIONS CONSISTENT WITH A PEDESTRIAN ENVIRONMENT.**
13. **BUILDING ELEVATIONS SHALL BE PRESENTED FOR REVIEW AND COMMENT TO THE SOUTH MOUNTAIN VILLAGE PLANNING COMMITTEE PRIOR TO FINAL SITE PLAN APPROVAL.**



**STAFF COMMENTS REGARDING VPC RECOMMENDATION:**

None.