



Village Planning Committee Meeting Summary

Z-73-22-7

INFORMATION ONLY

Date of VPC Meeting	January 9, 2023
Request From	S-1 (Approved R1-8 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved C-1 PCD)
Request To	PUD
Proposed Use	Commerce park development
Location	Southwest corner of 63rd Avenue and Dobbins Road

VPC DISCUSSION:

Item No. 8 (Z-75-22-8), Item No. 9 (GPA-LV-4-22-8), Item No. 10 (Z-72-22-8), Item No. 11 (GPA-LV-5-22-7), and Item No. 12 (Z-73-22-7) were heard together.

Four members of the public registered to speak on these item. Two of the members donated their time.

APPLICANT PRESENTATION:

Jason Morris, representing the applicant with Withey Morris PLC, introduced himself and the three proposed projects by IDM. Mr. Morris stated that he will provide a combined presentation for agenda items 8 through 12. Mr. Morris provided an overview of IDM, describing the Columbia Tech Center, which is owned by IDM. Mr. Morris then introduced Item No. 8 (Z-75-22-8), by the name of Curato, describing the site location, changes made to the site plan and elevations, and the proposed site plan plus elevations. Mr. Morris stated that 171 dwelling units are now proposed, with the primary access along Elliot Road. Mr. Morris described the proposed building elevations, renderings, site amenities, and housing plus retail trends in the area. Mr. Morris concluded by listing various project benefits. Mr. Morris then introduced Item Nos. 9 (GPA-LV-4-22-8) and 10 (Z-72-22-8), by the name of Acero Laveen, describing the site location, development units, site plans, renderings, landscape concepts, common tenants in commerce parks, proposed buffering, traffic circulation, and referenced other developments. Mr. Morris described site amenities proposed in Development Unit 2, housing trends, and off-premise signage. Mr. Morris concluded by listing various project benefits. Mr. Morris then introduced Item Nos. 11 (GPA-LV-5-22-7) and 12 (Z-73-22-7), by the name of Envision Dobbins 202 West, describing the site location and how this development furthers the Loop 202 technology corridor. Mr. Morris described the site plan, project phases, renderings, common tenants in commerce parks, and provided an

example of a common distribution facility. Mr. Morris stated that there are performance criteria for distribution facilities embedded in the proposed PUD Narrative. Mr. Morris described the project benefits and concluded by summarizing the outreach conducted on these cases.

QUESTIONS FROM COMMITTEE:

None.

PUBLIC COMMENTS:

Dan Penton stated that on case Z-75-22-7, staff was not in favor of the initial multifamily zoning proposed there. Mr. Penton discussed multifamily projects in the area and has concerns with the buildings proposed on case Z-72-22-8 due to the height, scale, and lack of commercial uses. Mr. Penton stated that the frontage along 59th Avenue that is proposed looks bad due to the building locations. Mr. Penton discussed a bicycle way and improving connectivity on the site. Mr. Penton has concerns with the proposed

Phil Hertel registered to speak on these items but was disconnected during public comment portion.

APPLICANT RESPONSE:

None.

COMMITTEE DISCUSSION:

Carlos Ortega stated that too many projects are being presented at one time by the applicant and feels overwhelmed. Mr. Ortega would like for applicants to present their projects individually instead.

Rebecca Perrera would like to see refinement in the building elevations and became confused by the numerous projects discussed at one time.

Chair Abegg would like to see more details on each case and is not supportive of distribution facilities as primary uses permitted in sites. Chair Abegg would like to see a stipulation reserving a grocery store location in the area.

Mr. Morris responded that he would gladly present these cases separately in the future.

REVISED
Village Planning Committee Meeting Summary
Z-73-22-7

Date of VPC Meeting	February 13, 2023
Request From	S-1 (Approved C-1 PCD), S-1 (Approved R-2 PCD), and S-1 (Approved R1-8 PCD)
Request To	PUD
Proposed Use	Planned Unit Development to allow commerce park development
Location	Approximately 550 feet west of the southwest corner of State Route 202 and Dobbins Road
VPC Recommendation	Approval, per the staff recommendation with a modification
VPC Vote	7-0

VPC DISCUSSION & RECOMMENDED STIPULATIONS:

Item No. 7 (GPA-LV-5-22-7) and Item No. 8 (Z-73-22-7) are companion cases and were heard together.

Eight members of the public registered to speak on these items. Six of the members donated their time.

STAFF PRESENTATION:

Enrique Bojórquez, staff, provided an overview of the rezoning proposal, Z-73-22-7, including the companion minor General Plan Amendment case GPA-LV-5-22-7, describing the location of the requests, the existing and proposed zoning districts and land use designations and the proposed use. Mr. Bojórquez reviewed the surrounding zoning districts, land uses and described the two phases of the project. Mr. Bojórquez listed several policy plans and described how these are furthered by this proposal. Mr. Bojórquez stated that staff did not receive any letters from the public regarding these requests. Mr. Bojórquez provided staff findings, followed by the staff recommendation of approval on each case, and discussed the stipulations as presented in the staff report for case Z-73-22-7.

APPLICANT PRESENTATION:

Ben Tate, representing the applicant with Withey Morris PLC., introduced himself and the proposed project. Mr. Tate discussed the South Mountain Technology Corridor and the Columbia Tech Center which was developed by IDM, the same developer of this project. Mr. Tate described the location of the site, existing land use designations and zoning districts on the site and surrounding area. Mr. Tate discussed the proposed site plan, which is divided into two phases. Mr. Tate discussed building renderings and explained that this site is not intended to be used as a distribution facility, describing a list of example tenants. Mr. Tate described the specs of a site used for manufacturing, providing examples of similar buildings designed by the same architecture firm. Mr. Tate discussed proposed changes to Stipulation No. 1.e, which would make large-scale wholesale uses subject to additional conditions in the PUD Narrative. Mr. Tate described an employment/market study and economic impacts to the area. Mr. Tate provided a summary of the public outreach conducted and project benefits. Mr. Tate concluded the presentation by requesting a recommendation of approval on each case.

QUESTIONS FROM COMMITTEE:

Vice Chair Hurd stated that she met with the Community and Economic Development (CED) Department and was informed that a user was attracted to this site by this department. Ms. Hurd stated that CED is confident that other good users would be attracted to the area and is supportive plus excited of Jeff Gordon's work.

Chair Abegg appreciates the changes made to the Development Narrative for this PUD.

Rebecca Perrera asked for clarification on the first phase project timeline.

PUBLIC COMMENTS:

Dan Penton feels assured knowing that this developer will not only develop the land but will also own it into the future. Mr. Penton also appreciates the changes made to the Development Narrative, adding that this and other sites in the general area will create 6 million square feet of industrial space to meet the 4.1 million square feet needed over the next 4 years. Mr. Penton stated that the original entitlement on the land required certain features that he would like to be part of this project to pay homage to the area.

APPLICANT RESPONSE:

Mr. Tate stated that Building A would be built first to accommodate a tenant that has been identified. **Mr. Tate** added that an electrical substation is required in the area to serve the growing demand.

FLOOR/PUBLIC DISCUSSION CLOSED: COMMITTEE DISCUSSION:

None.

MOTION (Z-73-22-7):

Vice Chair Hurd motioned to approve Z-73-22-7 per the staff recommendation with a modification to Stipulation Nos. 1.e per the applicant's request. **JoAnne Jensen** seconded the motion.

Modified Stipulation:

- 1.e. Pages 5 and 6, Performance Criteria for Distribution Uses. Modify this section as follows:

Performance Criteria for Distribution AND LARGE-SCALE WHOLESALE* Uses:

For the Phase 1 area, as depicted and legally described in Exhibit 7 - Phasing Plan, distribution AND LARGE-SCALE WHOLESALE uses are subject to the following criteria:

- Distribution AND LARGE-SCALE WHOLESALE facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road including within Building A.
- No distribution OR LARGE-SCALE WHOLESALE facilities are permitted as a primary use within Building B for a time period of 4 years from the date of rezoning approval.

For the Phase 2 area, as depicted and legally described in Exhibit 7 - Phasing Plan, distribution OR LARGE-SCALE WHOLESALE uses are subject to the following criteria:

- No distribution OR LARGE-SCALE WHOLESALE facilities are permitted as a primary use for a time period of 4 years from the date of rezoning approval.
- After 4 years from the date of rezoning approval, distribution AND LARGE-SCALE WHOLESALE uses may be permitted as a primary use up to a maximum of 50% of the total building area for the Phase 2 area.
- After 7 years from the date of rezoning approval, distribution AND LARGE-SCALE WHOLESALE may be permitted as a primary use.

*FOR THE PURPOSES OF THIS PUD, "LARGE-SCALE WHOLESALE" IS DEFINED AS WHOLESALE AS A PRIMARY USE FOR AN INDIVIDUAL USER OCCUPYING MORE THAN 50% OF ANY INDIVIDUAL BUILDING.

VOTE (Z-73-22-7):

7-0; motion to recommend approval of Z-73-22-7 per the staff recommendation with a stipulation modification, passes with Committee Members Barraza, Chiarelli, Jensen, Ortega, Perrera, Rouse, Hurd and Abegg in favor.

STAFF COMMENTS REGARDING VPC RECOMMENDATION & STIPULATIONS

The following stipulations reflect all of the stipulations approved at the February 13, 2023 Laveen Village Planning Committee meeting on case Z-73-22-7:

1. An updated Development Narrative for the Envision Dobbins 202 West PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped January 24, 2023, as modified by the following stipulations.
 - a. Front Cover, add "City Council adopted: [Insert Adoption date]"
 - b. Update the acreage throughout the Development Narrative to match with that of the sketch map for rezoning case Z-73-22-7.
 - c. Page 5, Section C. (List of Uses), Permitted Uses. Modify this section as follows:
 - Revise second bullet point to: "Food and spice manufacturing....".
 - d. Page 5, Section C. (List of Uses), Prohibited Uses. Remove "Publicly operated buildings or properties" and "Public utility buildings and facilities when necessary for serving the surrounding territory" from this list.
 - e. Pages 5 and 6, Performance Criteria for Distribution Uses. Modify this section as follows:

Performance Criteria for Distribution AND LARGE-SCALE
WHOLESALE* Uses:

For the Phase 1 area, as depicted and legally described in Exhibit 7 - Phasing Plan, distribution AND LARGE-SCALE WHOLESALE uses are subject to the following criteria:

- Distribution AND LARGE-SCALE WHOLESALE facilities as a primary use shall not be permitted within 500 feet of the property line along Dobbins Road including within Building A.
- No distribution OR LARGE-SCALE WHOLESALE facilities are permitted as a primary use within Building B for a time period of 4 years from the date of rezoning approval.

For the Phase 2 area, as depicted and legally described in Exhibit 7 - Phasing Plan, distribution OR LARGE-SCALE WHOLESALE uses are subject to the following criteria:

- No distribution OR LARGE-SCALE WHOLESALE facilities are permitted as a primary use for a time period of 4 years from the date of rezoning approval.
- After 4 years from the date of rezoning approval, distribution AND LARGE-SCALE WHOLESALE uses may be permitted

as a primary use up to a maximum of 50% of the total building area for the Phase 2 area.

- After 7 years from the date of rezoning approval, distribution AND LARGE-SCALE WHOLESALE may be permitted as a primary use.

*FOR THE PURPOSES OF THIS PUD, "LARGE-SCALE WHOLESALE" IS DEFINED AS WHOLESALE AS A PRIMARY USE FOR AN INDIVIDUAL USER OCCUPYING MORE THAN 50% OF ANY INDIVIDUAL BUILDING.

- f. Page 7, Development Standards table, Maximum Building Height. Modify this section as follows: Maximum 56 feet, except that one building within the Phase I area may have a maximum height of 85 feet provided that it meets the following standards:

- Does not exceed 15% of the total building area;
- Minimum building setback of 700 feet from the centerline of 63rd Avenue; and
- Minimum building setback of 100 feet from all other property lines.

Roof mounted equipment shall be fully screened from the adjacent public street line of sight.

- g. Page 8, Development Standards table, Electric Vehicle Parking. Modify this section as follows: Minimum Percentage of Total Parking Spaces with Level 2 EV Charging Station Installed: 5% of Required Parking. Minimum Percentage of Total Parking Spaces to be EV-Capable for Level 2 EV Charging Station: Minimum 15% of Required Parking.

- h. Page 9, Development Standards table, Open Storage Standards. Modify this section as follows: Any open use or storage area, where permitted, shall be located no less than 100 feet from a perimeter (street) property line. Any open use, including loading spaces or docking areas, shall be fully screened with a minimum 8-foot-tall solid wall where visible from a public street or residential district.

Where metal gates are provided for vehicular access, minor perforation may occur to accommodate wind loads. The perforation shall not exceed 50% of the gate surface area.

- i. Page 9, Landscape Standards, General section. Modify as follows: Where utility conflicts arise, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
- j. Page 11, Landscape Standards, Shade section. Modify last bullet point as follows: Where utility conflicts arise, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- k. age 13, Site Design/Development section, Third bullet point: Change last sentence to "Where metal gates are provided for vehicular access, minor perforation may occur to accommodate wind loads. The perforation shall not exceed 50% of the gate surface area."
 - l. Page 21, Comparative Development Standards Table. Update this table as necessary to incorporate any changes to the development standards in the Development Narrative.
2. A bus stop pad shall be constructed on eastbound Dobbins Road. Bus stop pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet and located from 65th Avenue according to City of Phoenix Standard Detail P1258.
 3. The developer shall submit a Master Street Plan (MSP), as required by the Planned Community District (PCD), Section 636 of the Phoenix Zoning Ordinance, as approved by the Planning and Development and Street Transportation Department, prior to preliminary site plan approval. The Master Street Plan shall match dedication requirements and improvements as required by the surrounding approved Master Streets Plans (Dobbins Industrial Park (MSP), Laveen Ranch (MSP) and Laveen Center MSP, and as approved by the Street Transportation Department.
 4. The developer shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department. The TIS shall include signal warrant analysis for 65th Avenue and Dobbins, 63rd Avenue and Dobbins Road and 63rd Avenue and Olney. If the approved TIS determines that a signal is warranted at any of these intersection, the developer shall be required to fund 100% of the cost and construct the signal, if the TIS does not warrant the signal, the developer shall be required contribute 25% of traffic signal cost in an escrow account to the Street Transportation Department.
 5. Existing irrigation facilities along public street are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish appropriate process to relocate facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
 6. 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.
 7. 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 approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

8. 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.
9. 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.
10. 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.