

## Attachment C

Planning Hearing Officer Summary of February 20, 2019  
Application Z-46-18-8  
Page 1

### REPORT OF PLANNING HEARING OFFICER ACTION

Adam Stranieri, Planner III, Hearing Officer  
Sofia Mastikhina, Planner I, Assisting

February 20, 2019

ITEM 5

DISTRICT 8

SUBJECT:

Application #: Z-46-18-8 (PHO-1-19)  
Zoning: R1-8 PRD  
Location: Southwest corner of 55th Avenue and Elliot Road  
Acreage: 39.78  
Request: 1) Modification of Stipulation No. 1 regarding PHO review and approval of conceptual elevations.  
Applicant: Chris Colyer, Snell and Wilmer, LLP  
Owner: Northside Hay Company, Inc.  
Representative: Chris Colyer, Snell and 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: At its February 11, 2019 meeting, the Laveen Village Planning Committee denied the request by a 9-0 vote.

### **DISCUSSION**

Chris Colyer with Snell and Wilmer LLP, on behalf of Meritage Homes, provided an overview of the project which is a 174-unit single-family residential subdivision. He explained that the intent of the project is to fill the need for workforce housing, specifically to cater to those that rely on FHA loans. He explained that this will be a gated community located a quarter of a mile from the Loop 202 extension. He stated that they are seeking to modify one stipulation regarding approval of conceptual elevations. He noted that they revised the proposed elevations after hearing the concerns of the Laveen Village Planning Committee, and provided 9 different color palettes, where only 3 were previously provided. He further noted that one of the main concerns at the VPC was the lack of windows on the side elevations of the two-story plans. He stated that they had added three windows and shutters to the two-story elevations, as well as stucco pop outs as a standard feature on all plans. He presented a rendering of a single-story base model on a corner lot to illustrate the basic architectural elements of the project.

John Mockus, representing the Laveen Village Planning Committee, expressed his gratitude for the applicant's willingness to work with the community to address and rectify concerns with the project. He stated that he originally had concerns with the proposed elevations, but that they have been sufficiently addressed. He stated that he would like to make sure that if there are any further changes, that the applicant come back to the VPC for review.

Phil Hertel stated that at the Village Planning Committee meeting, there were concerns that four-sided architecture was not provided. He noted that the applicant had made appropriate changes to the elevations to provide four-sided architecture. He expressed his support for the project.

Adam Stranieri explained that due to the lot widths in this subdivision, the project will be required to go through single-family design review, which is a comprehensive evaluation of elevations. He noted that the original stipulation indicates that elevations should provide front porch or seating areas and the proposed elevations show these elements. He explained that he would like to clarify the stipulation language to specify whether the front porch or seating areas are covered or enclosed. He further noted that the stipulation requires four-sided architecture, which the applicant has addressed by incorporating additional windows and window treatments to the two-story elevations. He stated that the stipulation language should provide more context on the available options for windows and window treatments and that additional architectural elements should be incorporated on the side elevations of the single-story homes. He noted that the stipulation also requires evaluation of exterior accent materials in relationship to the color palettes to ensure continuity throughout the development, which the new elevations reflect. He further noted that the new stipulation will include a requirement that the applicant provide a minimum of 9 color schemes. He noted this is only regarding the quantity and not the colors themselves.

Mr. Colyer explained that the front porch elements were labeled as recess areas to ensure that they are not required to be covered, as some elevations would not be able to accommodate such an element and will provide enclosed courtyards instead. He noted that some elevations show the porch area to be on the side of the house, but still parallel to the primary front entry to the homes. He also noted that the reason that they did not provide additional windows and window treatments to the side elevations of the single-story homes was to keep costs low so that the homes will still be eligible for FHA loans.

Mr. Stranieri approved the request with a modification and an additional stipulation.

## **FINDINGS**

- 1) The single-story elevations date stamped January 3, 2018 incorporate front porches or seating areas in the front of all homes. Language is recommended to clarify that the seating areas should be enclosed. On the submitted elevations, this is achieved through use of a low wall. Additionally, the elevations display four-sided architecture and design continuity in accent materials and detailing. However, there are other alternative architectural design elements that may be

considered for the side elevations such as recesses, pop-outs, or shutters. Therefore, general conformance to these elevations is recommended with additional language that allows flexibility in meeting the four-sided architecture requirement. The homes are also subject to single-family design review which will review additional design elements and features.

- 2) The modified two-story elevations date stamped February 15, 2019 represent an improvement in the architectural diversity of the side elevations through the inclusion of additional windows and shutter details. General conformance to these elevations is recommended subject to the same additional requirements applied to the single-story elevations.
- 3) The applicant submitted a set of nine color scheme options in order to increase design diversity in response to concerns raised by the Laveen Village Planning Committee and Laveen Citizens for Responsible Development (LCRD). A stipulation is recommended to maintain this proposal for the nine options.

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

### **STIPULATIONS**

1.	<del>Conceptual elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to single-family design review. The elevations shall incorporate a front porch or seating area, four-sided architecture, and exterior accent materials, detailing, and color palette, that conveys a sense of continuity throughout the development, as approved by the Planning and Development Department.</del>  SINGLE-STORY ELEVATIONS SHALL BE IN GENERAL CONFORMANCE TO THE CONCEPTUAL ELEVATIONS DATE STAMPED JANUARY 3, 2019. TWO-STORY PROJECT ELEVATIONS SHALL BE IN GENERAL CONFORMANCE TO THE CONCEPTUAL ELEVATIONS DATE STAMPED FEBRUARY 15, 2019. ALL BUILDING ELEVATIONS SHALL BE DESIGNED WITH SPECIFIC REGARD TO THE FOLLOWING, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT:	
	A.	ALL ELEVATIONS SHALL PROVIDE A COVERED FRONT PORCH AND/OR ENCLOSED SEATING AREA.
	B.	ALL ELEVATIONS OF THE BUILDING SHALL CONTAIN ARCHITECTURAL EMBELLISHMENTS AND DETAILING SUCH AS TEXTURAL CHANGES, PILASTERS, OFFSETS, RECESSES, VARIATION IN WINDOW SIZE AND LOCATION, AND/OR OTHER OVERHANG CANOPIES.

	C.	THE DEVELOPER SHALL PROVIDE A MINIMUM OF NINE UNIQUE COLOR SCHEME OPTIONS.
2.		The developer shall provide a 55-foot landscape setback along Elliot Road, with a minimum of two rows of 50% minimum 2-inch caliper shade trees and a minimum of 50% 3-inch caliper shade trees, 30 feet on center or equivalent groupings, as approved by the Planning and Development Department.
3.		The developer shall provide minimum 300 square foot landscaped entry features located on each side of the north entrance on Elliott Road and the east entrance on 55th Avenue. The entry features should include a mix of mature trees, shrubs, and flower beds, as approved by the Planning and Development Department.
4.		The developer shall construct a minimum 10-foot pedestrian pathway within a minimum 30-foot centralized open space tract that connects from Elliot Road to the southern boundary of Tract G as depicted on the site plan date stamped November 30, 2018, as approved by the Planning and Development Department.
5.		The developer shall provide a minimum of 18% open space, as approved by the Planning and Development Department.
6.		The primary perimeter rear walls adjacent to Elliot Road and 55th Avenue shall include minimum three-foot offsets at a minimum interval of every four lots. Additionally, materials and textural differences such as stucco and/ or split face block, decorative concrete, brick, and stone, or a combination of these materials with block stucco walls shall be incorporated, as approved by the Planning and Development Department.
7.		Lots located adjacent to 55th Avenue and Elliot Road shall be limited to a maximum of 50% two-story homes, with no more than two, two-story homes built adjacent to each other, as approved by the Planning and Development Department.
8.		The developer shall construct a 10-foot wide public shared use path (SUP) within an easement as indicated in the City of Phoenix MAG Supplement, for the west side of 55th Avenue, as approved or modified by the Planning and Development Department and the Parks and Recreation Department.
9.		Right-of-way totaling 30 feet shall be dedicated for the west half of 55th Avenue, as approved by the Planning and Development Department.
10.		Right-of-way totaling 55 feet shall be dedicated for the south half of Elliot Road, as approved by the Planning and Development Department.
11.		A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of Elliot Road and 55th Avenue, as approved by the Planning and

	Development Department.
12.	The applicant shall submit paving plans for all arterial streets within and adjacent to the development, to the Street Transportation Department for review prior to preliminary site plan approval.
13.	The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602) 262-6193, with the Street Transportation Department. This form is a requirement of the EPA to meet clean air quality requirements.
14.	The street access to the development on 55th Avenue shall align with West Pack Mule Place dedicated on the east side or be off-set by a minimum of 125 feet, as approved by the Planning and Development Department.
15.	Detached sidewalks shall be provided in locations generally conforming to the conceptual landscape plan date stamped September 10, 2018. The sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include a minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department.
16.	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.
17.	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.
18.	The developer shall provide a minimum 20-foot driveway depth for fifty percent of the homes within the development, all remaining homes shall have a minimum driveway depth of 22 feet as approved by the Planning and Development Department.
19.	Each home shall have a minimum roof overhang of 12-inches.
20.	Where two, two-story homes are built adjacent to each other, the same elevation shall not be utilized if both homes share the same color scheme and floor plan.
21.	A half choker shall be installed and located on the east side of the most western north/south street, as depicted on the site plan date stamped November 30, 2018.
22.	A minimum of 33% of the lots shall be a minimum of 50 feet wide or greater, and

	generally located as depicted on the site plan date stamped November 30, 2018, as approved by the Planning and Development Department.
23.	The developer shall provide open space that is evenly distributed throughout the development, as generally conforming to the conceptual landscape plan date stamped September 10, 2018, and as approved by the Planning and Development Department.
24.	The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 30-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, for the south side of Elliott Road, as approved or modified by the Planning and Development Department and the Parks and Recreation Department.
25.	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.
26.	Lots located adjacent to the east side of Tract D, as depicted on the site plan date stamped November 30, 2018, shall be limited to a maximum of one-story, as approved by the Planning and Development Department.
27.	All garages shall have a minimum depth of 22 feet, as approved by the Planning and Development Department.

Upon request, this publication will be made available within a reasonable length of time through appropriate auxiliary aids or services to accommodate an individual with a disability. This publication may be made available through the following auxiliary aids or services: large print, Braille, audiotape or computer diskette. Please contact the Planning and Development Department, Tamra Ingersoll at voice number 602-534-6648 or TTY use 7-1-1.